

Effective 10/1/05

***X PAGE NUMBERS POINT TO CHARGES, ALSO READ NOTES ASSOCIATED
WITH SPECIFIC CHARGES***

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COMMON LAW

False Imprisonment

MISDEMEANOR
ANY SENTENCE THAT IS
NOT CRUEL OR UNUSUAL
PUNISHMENT



****FALSE IMPRISONMENT****

...did unlawfully and intentionally detain _____ (victim), in violation of the Common Law.

Riot

MISDEMEANOR
ANY SENTENCE THAT IS
NOT CRUEL OR UNUSUAL
PUNISHMENT



****RIOT****

...on or about (date) _____ at (location) in _____ county, Maryland, did, together with at least two other persons, whose identities are unknown, unlawfully assemble to carryout a common purpose in such violent or turbulent manner as to terrify others, in violation of the common law of the State of Maryland, and against the peace, government, and dignity of the State.

MISDEMEANOR
ANY SENTENCE THAT IS
NOT CRUEL OR UNUSUAL
PUNISHMENT



****OBSTRUCTING & HINDERING****

...did intentionally and knowingly obstruct and hinder a police officer, ____ (victim), in the performance of [his/her] lawful duties, in violation of the commom law.

ARTICLE 2B - ALCOHOLIC BEVERAGES

Mfgr., etc., Have no Interest in Retail Establishment, etc.

2B 12-104
MISDEMEANOR
\$10,000.00 - 2 YEARS



****ALC BEV ILLGL FINANCL INTR****

...did unlawfully have a financial interest in _____, a retail alcoholic establishment, while being [the holder/the agent of the holder] of a [manufacturer's/wholesaler's] liquor license [a distiller / a non-resident dealer/ a brewer/a blender/ a bottler] of alcoholic beverages].

2B 16-506
MISDEMEANOR
\$10,000.00 - 5 YEARS



****ALC BEV/TAX UNPAID: EVASN****

...did knowingly and willfully [possess/transport/sell/offer for sale/permit to be kept on his premises] alcoholic beverages, to wit: _____, on which Maryland taxes had not been paid.

2B 16-506
MISDEMEANOR
\$10,000.00 - 5 YEARS



****ALC BEV TAX STAMPS FORGE****

...did unlawfully counterfeit and forge the [tax stamps/certificates] required for alcoholic beverages by State law.

DISORDERLY INTOXICATION

2B 19-101
PENALTY SEC. 19-102
MISDEMEANOR
\$100.00 - 90 DAYS



****ALC. BEV./INTOX: ENDANGER****

...was intoxicated and did endanger [the safety of _____/the property of _____].

Note: This section refers to the safety of another.

Prohibited Acts, etc.

2B 19-101
PENALTY SEC. 19-102
MISDEMEANOR
\$100.00 - 90 DAYS



****ALC BEV./RETAIL AREA DRINK****

...[was intoxicated/did consume alcoholic beverages] [in/at] _____, a public place, and did cause a public disturbance [therein/thereat].

DRINKING IN CERTAIN PLACES

Places Prohibited

2B 19-202
PENALTY SEC. 19-204
MISDEMEANOR
\$100.00



****ALC BEV/PROHIB PLACE DRINK****

...did unlawfully consume an alcoholic beverage on public property, to wit: _____ (location and description, see note) without authorization from _____, the governmental agency having jurisdiction over said property.

NOTE 1: In description of location for this charge, give address or location, and give the nature of the Public property. Public property includes buildings, grounds, parks, streets, highways, alleys, sidewalks, stations, terminals, roadways, and parking areas on land owned, leased, or operated by the State, a County, a municipality or other local subdivision, or any governmental agency. In order for probable cause to be found, there must be some factual indication that the property was public property.

2B 19-202
PENALTY SEC. 19-204
MISDEMEANOR
\$100.00



****ALC BEV./RETAIL AREA DRINK****

...did consume alcoholic beverages on the [mall/adjacent parking lot/grounds] of _____, a retail establishment, without the authorization of the owner thereof.

2B 19-202
PENALTY SEC. 19-204
MISDEMEANOR
\$100.00



****ALC BEV RETL EST DRINK****

...did consume alcoholic beverages in a vehicle parked on the [parking lot/grounds] of _____, a retail establishment, without the authorization of the owner thereof.

NOTE 2: For purposes of this section, a retail establishment is defined as a shopping center to which the general public is invited.

This section does not apply if the passengers of the vehicle are in the living quarters of a mobile home with central heating and toilets, or to passengers in transit via a chartered bus, if the owner of the bus consents.

Check the statute and public local laws for additional provisions relevant to this subject which might apply to your locality.

2B 19-202
PENALTY SEC. 19-204
MISDEMEANOR
\$100.00



****ALC BEV/VEH PUB PROP DRINK****

...did consume alcoholic beverages in a vehicle parked on public property, to wit: _____, without the authorization of the entity having jurisdiction thereover.

SEE NOTE 1.

Alcohol - Open Container

2B 19-301
PENALTY SEC. 19-302
MISDEMEANOR
\$100.00



****ALC BEV OPEN CONT RETL EST****

...did possess in an open container an alcoholic beverage while in a parked vehicle on the [parking lot/grounds] of _____, a retail establishment, without the authorization of the owner of said establishment.

NOTE: This section applies only in Carroll, Harford, and Montgomery Counties.

2B 19-301
 PENALTY SEC. 19-302
 MISDEMEANOR
 \$100.00



****ALC BEV/OPEN CONT/RETL EST****

...did possess in an open container an alcoholic beverage while on [mall/adjacement parking area/ground] of _____. a privately owned retail establishment, without the authorization of the owner of said establishment.

FRAUD

2B 22-101
 MISDEMEANOR
 \$500.00 - 1 YEAR



****BEER/FAKE MKE/SELL AS REAL****

...did [manufacture, sell and offer for sale/permit another to sell and offer for sale] a _____ (type of drink) not having been brewed and fermented as such.

Beer-Mrg. or Sale, Etc.

2B 22-101
 MISDEMEANOR
 \$500.00 - 1 YEAR



****BEER/COLORED SELL AS OTHER****

...did [offer for sale/sell/permit to sell] beer, to which coloring matter and porterine had been added, representing the same by other than its proper name.

ARTICLE 38

Paying Fines/Costs with Bad Checks, etc.

38 4B
MISDEMEANOR
\$100.00 - 60 DAYS



****BAD CHECK: FINES/COURT COSTS****

...did pay fines and costs imposed in the ____ Court for ____
[city/county] by means of a check not paid upon presentation,
knowing that the check would not be paid upon presentation.

ARTICLE 88A

SOCIAL SERVICES ADMINISTRATION - PROHIBITED ACTS

Appl. Written - False or Fraud State. Punished as Perjury, etc.

88A 62
PENALTY 27-439
MISDEMEANOR
10 YEARS



****PUB ASST - FALSE APPLIC'N****

...did, in a signed application, make a false and fraudulent
statement, with the intent to obtain [money/property/food
stamps/medical care/ assistance] under a program based on
need, financed in whole or in part by the State of Maryland and
administered by the ____ [Department of Employment and
Social Services/Department of Health and Mental Hygiene/the
____ Department of Social Services].

NOTE: It is enough that the false statement be in the application. Nothing of value is required to be obtained as a result of the false statement.

AGRICULTURE ARTICLE

Accounting for Sales by Agent, Factor, Etc

AG 1-305
MISDEMEANOR
\$5.00 EACH OFFENSE



* 3 2 7 9 9 *

****FRAUD-NONACCTG OF GOODS****

...did fail to transmit a full accounting to _____ (consignor)
within 24 hours of sale of farm produce consigned to him.

NOTE: Full account to consignor means that within 24 hours he is given the price of the article sold, the name and address of the purchaser (city, street and number of house or place of business). "Account" does not mean payment under this section.

Opening Gate of Another's Pasture, etc.

AG 3-701
MISDEMEANOR
\$500.00 - 1 YEAR



* 2 2 9 0 0 *

****MAL/DEST-OPEN FIELD GATE****

...did wilfully and maliciously open the gate of a
[field/pasture/enclosure] enclosing _____ (describe livestock)
and belonging to _____ (owner/lessee, etc.).

Inhumane Methods Prohibited

AG 4-123.1
MISDEMEANOR
\$100.00



****LIVESTK SLAUGHTR METHD INH****

...did [bleed/slaughter] livestock in an inhumane manner.

NOTE: There are religious and other exemptions which can be determined by reading Sec. 333C.

AG 4-123.1
MISDEMEANOR
\$100.00



****INHUMN SLAUGHTER LIVESTOCK****

...did bring livestock into position for slaughter by use of an inhumane method.

BUSINESS OCCUPATIONS & PROFESSIONS

ARTICLE

Lawyers - Written Solicitation of Clients

BOP 10-605.1
MISDEMEANOR
\$1,000.00 - 1 YEAR



****ATTY SOLICIT CIVIL CASE****

_____, a lawyer, did, within 30 days after the incident giving rise thereto, send a communication to _____, the victim and relative of the victim, concerning an action for personal injury and wrongful death and otherwise related to an accident or disaster involving the said victim, for the purpose of obtaining professional employment.

NOTE: The 1998 Legislature, recognizing the new, hi-tech methods of communication, struck the word "written," and listed the types of "communication" for which this statute is applicable. They include: Audio recording, computer on-line transmission, facsimile transmission, letter, or other form of written communication, telegraphic, telephone, and video recording. At the same time, they made the law applicable only to civil cases and struck the section involving solicitation in criminal cases.

NOTE: See section for time requirements.

BUSINESS REGULATIONS ARTICLE

Use/Imitated of Trade Name

BR 1-415
MISDEMEANOR
\$100.00 EACH DAY



****FRAUD-IMITATE TRADE NAME****

...did, with intent to defraud, [do business in the state under/ imitate] a [name/title/trade name] that is [the same as/similar to] that used by another person already doing business in the state.

NOTE: This section does not apply to individuals with similar names.



BR 8-601
MISDEMEANOR
\$1,000.00 - 30 DAYS

****SELL HOME IMPRV W/O LICENS****

...did sell and offer to sell a home improvement without having a license to do so, as required by law.

NOTE: The Acts of 1997 removed the requirement of "knowingly and willfully" to constitute a violation of this section. It also reduced the penalty for a first time offense to \$1,000 fine and/or 30 days.

Acting/Selling W/O License



BR 8-601
MISDEMEANOR
\$1,000.00 - 30 DAYS

****ACT AS CONTRCTOR W/O LICNS****

...did act and offer to act as a [contractor/ subcontractor] in the state without having the license therefore required by law.



BR 8-605
PENALTY SEC. 8-623
MISDEMEANOR
\$1000.00 - 6 MONTHS

****FAIL TO PERFORM CONTRACT****

...did, as a contractor, knowingly and wilfully abandon and fail to perform without justification, a home improvement contract.

NOTE: Abandonment of a contract implies an intent not to perform. Poor work performance and untimely performance do not, by themselves, imply an intent to abandon the contract. (Shade v. State, 306 Md. 372).

Misc. Prohibited Acts

BR 8-605
PENALTY SEC. 8-623
MISDEMEANOR
\$1000.00 - 6 MONTHS

****DEVIATE FROM PLANS W/O CON****

...did, as a contractor, knowingly and willfully deviate from plans and specifications without the consent of the owner.

NOTE: Contractor means a person, other than an employee of an owner, who performs or offers or agrees to perform a home improvement for an owner.

NOTE: "Home improvement" is defined as the addition or alteration, conversion, improvement, modernization, remodeling, repair, or replacement of a building or part of a building that is used or designed to be used as a residence or a structure adjacent to that building or improvement to land adjacent to the building. It includes:

1. Construction, improvement or replacement, on land adjacent to the building of a driveway, fall-out shelter, fence, garage, landscaping, porch or swimming pool.
2. Connection, installation or replacement in the building of a dishwasher, disposal or refrigerator with an icemaker to existing plumbing lines.
3. Installation of an awning, fire alarm or storm window.
4. Work done on individual condominium units.

NOTE: "Home improvement" does not include:

1. Construction of a new home.
2. Work done to comply with a guarantee of completion for a new building project.
3. Connection, installation or replacement of an appliance to existing plumbing lines that requires alteration of the plumbing lines.
4. Sale of materials if the seller does not perform or arrange to perform any work using the materials.
5. Work done on apartment buildings with four or more single-family units.
6. Work done on the common areas of condominium units.
7. Shore erosion control projects as defined in 8-1001 of the Natural Resources Article.

Traders and Chain Stores

BR 17-1804
PENALTY SEC. 17-2106
MISDEMEANOR
\$300.00 - 30 DAYS



****DO BUS W/O TRADERS LICENSE****

...did [business as a trader/business as an exhibitor] in the State of Maryland without a Trader's License.

NOTE: A separate Trader's License is required for each store or fixed place of business that a person operates in the State.

NOTE: This section does not apply to:

1. A grower, maker or manufacturer of goods.
2. A non-resident traveling salesperson, sample merchant, or representative of a foreign mercantile or manufacturing business while selling to or soliciting an order from a licensed trader in the State.
3. A private individual while publicly selling the individual's personal effects on the individual's property, if the individual holds only one sale not exceeding fourteen [14] consecutive days in a calendar year.
4. An exhibitor, if the show is promoted by: a. A church, defined in Sec. 5-301[B] of the Corporations and Associations Article; b. A Governmental Unit; c. An amateur radio organization; d. An antique vehicle, machine and equipment organization; e. A volunteer fire department or rescue squad; or f. A model train collector's association.
5. An exhibitor who receives less than 10% of the exhibitor's annual income from selling the kind of goods that the exhibitor will display and sell at the show and has not participated in more than three shows during the previous 365 days.

NOTE: The penalty herein prescribed does not affect the penalty which may be prescribed by existing law for the violation of special provisions of the license law.

NOTE: Any officer or agent of a corporation engaged in an unlicensed business is individually subject to the penalties provided by law.

NOTE: Traders whether selling over the counter or by vending machines are required to procure a separate license for each fixed location. (Benco Vending v. Comptroller 244 Md. 377.)

**Authorized Wearing Insignia, Etc. or Organization, Etc.;
Exceptions**

BR 19-207(b)
MISDEMEANOR
\$200.00



****FRAUD-UNAUTH USE/INSIGNIA****

...did wear and use for the purpose of obtaining [aid and assistance/personal and social recognition] the insignia of a [fraternal society/military organization/patriotic organization] chartered in Maryland while not being entitled to do so.

NOTE: This section does not prohibit the wearing of the badge or insignia of a lodge or society by the parent, sibling, child, or spouse of any member of such lodge or society entitled under this section and Sec. 181 of this article to wear such badge or insignia

BR 19-207(c)
MISDEMEANOR
\$25.00



****FRAUD-UNAUTH USE/INSIGNIA****

...did wear and use for the purpose of obtaining aid and assistance the insignia of ____ [American Legion/VFW/DAV/Spanish War Veterans] while not being entitled to do so.

BR 19-207(d)
MISDEMEANOR
\$100.00



****FRAUD-UNAUTH USE/REG INSIG****

...did [wear/exhibit and display/print and use] the insignia of an organization registered with the Secretary of State of Maryland, while not being entitled to do so.

NOTE: This can refer to any organization which has an insignia, emblem, motto, etc., which is registered with the Secretary of State. Refer to Sec. 184-188 for more complete information.

COURTS & JUDICIAL PROCEEDINGS

ARTICLE

PEACE ORDERS

False Information

CJ 3-1503(d)
MISDEMEANOR
\$1,000.00 - 90 DAYS



****PEACE ORDER: FALSE INFO.****

...did file a petition under the Annotated Code of Maryland, Courts & Judicial Proceedings Article, Sec. 3-1503, and knowingly provided false information in said petition.

Fail to Comply with Order

CJ 3-1508
 MISDEMEANOR
 \$1,000.00 - 90 DAYS

****PEACE ORDER: FAIL TO COMPLY****

...did fail to comply with an Order dated _____,
 issued under the Annotated Code of Maryland, Courts &
 Judicial Proceedings Article, Sec. [3-1503/3-1504/3-1505] that
 ordered the respondent to refrain from [committing or
 threatening to commit any of the acts specified in Section 3-
 1503(a) of said Courts & Judicial Proceedings Article against
 _____/contacting, attempting to contact, harassing
 _____/entering the residence of
 _____/remain away from the place of employment,
 school and temporary residence of _____].

NOTE: The acts specified in CJ-3-1503(a) are:

1. an act that causes serious bodily harm.
2. an act that places petitioner in fear of imminent serious bodily harm.
3. assault in any degree.
4. rape or sexual offense as defined in CR 3-301 or any attempt threat.
5. false imprisonment.
6. harassment as defined in CR 3-803.
7. stalking as defined in CR 3-802:
8. trespass
9. malicious destruction of property.

NOTE: Such an order may include any or all of the restrictions named, and may be violated in several ways by one section. Example: going to the petitioner's place of employment and assaulting petitioner. Use all applicable choices joined by the word "and." HOWEVER, each separate chronological incident is a separate offense.

Contribute to Certain Conditions of Child

CJ 3-8A-30
MISDEMEANOR
\$2,500.00 - 3 YEARS



****CONTRIBUTE TO COND OF CHLD****

...did, being an adult, wilfully contribute to, encourage, cause, or tend to cause [an act/an omission/a condition] which rendered _____, a child, [in violation of _____/ delinquent or in need of supervision].

NOTE: Adult may be charged under the section, even if child has not been found to have committed a violation, adjudicated delinquent, in need of supervision, or in need of assistance. Charge must be filed in the county where the offense occurred (C.J. Sec. 3-808). Concurrent jurisdiction with Juvenile Court and Adult Court (C.J. Sec. 3-804).

NOTE: There is a presumption that a child is not receiving ordinary and proper care and attention under Section 3-801(E)(1) of C&JP if the child:

1. was born addicted to or dependent on cocaine, heroin, or a derivative thereof; or
2. was born with a significant presence of cocaine, heroin, or a derivative thereof in the child's blood as evidenced by toxicology or other appropriate tests.

NOTE: "Adult" means a person who is 18 years old or older. "Child" means a person under the age of 18 years. "Child in need of assistance" is a child who requires the assistance of the court because:

1. He is mentally handicapped or is not receiving ordinary and proper care and attention, and
2. His parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child and his problems provided, however, a child shall not be deemed to be in need of assistance for the sole reason he is being furnished non-medical remedial care and treatment recognized by State law.

"Child in need of supervision" is a child who requires guidance, treatment, or rehabilitation and:

1. He is required by law to attend school and is habitually truant; or
2. He is habitually disobedient, ungovernable, and beyond the control of the person having custody of him;
3. He departs himself so as to injure or endanger himself or others; or
4. He has committed an offense applicable only to children.

"Delinquent child" is a child who has committed a delinquent act and requires guidance, treatment, or rehabilitation.

COMMERCIAL LAW ARTICLE

False Advertisements - Merchandise Etc./Part of Scheme Not to Sell at Advertise Price

CL 14-2903
MISDEMEANOR
\$500.00 - 1 YEAR



****FRAUD-FALSE ADV****

...did advertise by means of _____ (describe method of advertisement) and offer for sale to the general public _____ (item or service) with the intent [not to sell same/not to sell same at the advertised price].

NOTE: Section applies to firms, corporations and the several members, officers, directors, agents and employees who knowingly violate this section. Generally referred to as "bait and switch".

CRIMINAL PROCEDURE ARTICLE

Bail Bondsmen - Solicitation

CP 5-210
MISDEMEANOR
1ST OFF: \$100.00 - REF. TO
INSURANCE COMM.
2ND OFF: \$1,000.00 - REF.
TO INSURANCE COMM.



****BAIL BONDSMAN-SOLICITATION****

...did, as a [bail bondsman/agent of a bail bondsman], solicit business on property and grounds of a [courthouse/correctional facility].

NOTE: Bail bondsman does not include a person that contracts with a public agency to provide bail bonds to persons detained in a correctional facility.

NOTE: "Solicit" includes approaching, enticing, or inviting an individual to use the services of a bail bondsman; and distributing, displaying, or wearing an item that advertises the services of a bail bondsman.

CP 5-211(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****FTA/MISD- DEF/WITNESS****

...did wilfully fail to surrender within 30 days following _____ (date), the date of forfeiture and recognizance, which was given in connection with [a misdemeanor/the appearance as a witness] in case _____ (case number) court for [county/city].

Failure to Surrender After Forfeiture

CP 5-211(b)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****FTA/FELONY DEFENDANT****

...did wilfully fail to surrender within 30 days following _____ (date), the date of forfeiture or recognizance, which was given in connection with [a felony/a pending appeal/a pending certiorari/a pending habeas corpus/a post conviction] in case _____ (case number) in the _____ (name court) court for [county/city/state].

Failure to Appear

CP 5-212
 MISDEMEANOR
 \$500.00 - 90 DAYS

****FAIL APPEAR-CITATION****

...did fail to appear in response to a citation, to wit: _____
 (identify citation by number and offense).

NOTE: This Section applies only to citations issued for petty offenses as defined in the Glossary of Part I of this Manual.

CP 11-721
 MISDEMEANOR
 \$5,000.00 - 3 YEARS

****SEX OFF REG-CHANGE ADDRESS****

...did knowingly fail to notify _____ (agency) within 7 days of change of address.

NOTE: In the charging language choices for CP 11-721, the prior convictions that will qualify a defendant as a "child sexual offender" are:

1. Violation of CR 3-602
2. Any provision of the rape or sexual offense statutes under CR 3-303 through 3-307 involving a child under the age of 15 years.
3. A conviction of violating the 4th degree sex offense statute under CR 3-308 involving a child under the age of 15 years and has been ordered by the court to register.
4. Has been convicted in another state or federal, military or native american tribunal court of a crime that if committed in this state would constitute one of the crimes listed above.

The above charging language contains all of these choices. It also contains, in brackets, the words, "said violation involving a victim under 15 years of age." This language applies only to violation of CR 3-303, CR 3-304 and CR 3-307 (Rape and 1st, 2nd, or 3rd Degree Sexual Offense). It does not apply to CR 3-601 (child abuse) or CR 3-308 (4th degree sexual offense).

CP 11-721
MISDEMEANOR
\$5,000.00 - 3 YEARS



****FAIL REG OFFENDER****

...did knowingly (fail to register/provide false information of a material fact) as required by the Criminal Procedure Article, Subtitle 7.

CRIMINAL LAW ARTICLE

CR 1-301
FELONY
PRELIMINARY HEARING
5 YEARS (PENALTY NOT
TO EXCEED THE
MAXIMUM PENALTY
PROVIDED BY LAW FOR
COMMITTING THE
CRIME.)



****ACCESS AFTER STATUTE****

...did unlawfully violate statute _____ (Article & Section) as an accessory after the fact.

NOTE: Preliminary Hearing depends on jurisdiction.

MURDER

Note: all first-degree murder should be charged under cr 2-201. The language used is authorized by cr 5-202. Felony-murder, as defined by cr 2-201 should be charged under 2-201. Degrees of the crime were unknown to the common law. Accordingly, these sections do not create new offenses, but merely serve the purpose of classifying the acts which they respectively proscribe as species of murder in the first degree, and mitigate the punishment in cases of the second degree. As to felony-murder, the fact that the accused was committing a felony creates proof of malice and premeditation sufficient to sustain a conviction for first-degree murder for any killing consequent to the felony.

There is no requirement that the state charge and convict upon the underlying felony in order to sustain a felony-murder conviction.

CR 2-201 includes as first-degree murder any killing consequent to an arson or attempted arson of a dwelling or adjoining building .

CR 2-201 includes as first-degree felony murder any killing consequent to the burning or attempted burning of any barn, tobacco house, stable, warehouse, or other outhouse not parcel of any dwelling.

CR -2-201 includes as first-degree felony murder any killing consequent to the commission or attempted commission of any of the following crimes:

Arson in the first degree; burning an outbuilding as described in CR 2-204(a)(ii);

Rape in any degree;

Sexual offense in the first or second degree;

Sodomy;

Mayhem;

Robbery under CR 3-402 & 3-403;

Carjacking or armed carjacking;

Burglary in the first, second, or third degree;

Kidnapping as defined in CR 3-502 & CR 3-503(a)(2);

Escape in the first degree or attempted escape in the first degree from a state correctional facility or local correctional facility or violation of CR 4-503 concerning destructive devices.

All of these should be charged under CR 2-201. All are Section 5-101 (c)(2) Offenses.

First Degree Murder

CR 2-201
 FELONY
 LIFE (BUT DEATH
 PENALTY PROVIDED IN
 CR 2-203 SEE NOTE
 BELOW.
 PRELIMINARY HEARING
 RELEASE RESTRICTION
 LESSER INCLUDED
 OFFENSES:
 2ND DEGREE MURDER
 MANSLAUGHTER
 ASSAULT
 SUB. CONVICTION,
 ENHANCED PENALTY



****MURDER-FIRST DEGREE****

...did feloniously, willfully and of deliberately premeditated malice aforethought kill and murder _____.

NOTE: If a person found guilty of murder in the first degree was less than 18 years old at the time the murder was committed, the person shall be sentenced to imprisonment for life without possibility of parole and may not be sentenced to death. (CR 2-202(b)(2)(i).

If the defendant is 18 years of age or more, the State may notify him in writing that it will seek a sentence of life imprisonment without the possibility of parole, or the State may notify him, in writing, that it intends to seek a penalty of death. (CR 2-202)

Second Degree Murder

CR 2-204
 FELONY
 30 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION
 LESSER INCLUDED
 OFFENSES:
 MANSLAUGHTER
 ASSAULT
 SUB. CONVICTION,
 ENHANCED PENALTY

****MURDER-SECOND DEGREE****

...did feloniously and with malice aforethought, kill and murder
 _____.

CR 2-205
 FELONY
 LIFE
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ATT 1ST DEG. MURDER****

...did feloniously, willfully, and of deliberately premeditated
 malice aforethought, attempt to kill and murder _____.

CR 2-206
 FELONY
 30 YEARS
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****ATT 2ND DEG. MURDER****

...did feloniously and with malice aforethought, attempt to kill
 and murder _____.

MANSLAUGHTER

Generally

CR 2-207(a)
 FELONY
 \$500.00 - 10 YEARS
 PRELIMINARY HEARING
 SUB. CONVICTION,
 ENHANCED PENALTY



****MANSLAUGHTER****

...did, feloniously, without malice aforethought, kill and slay
 _____.

NOTE: This section may not be used when the killing resulted unintentionally from the negligent operation of a motor vehicle or boat. In that event, the proper statute to use is Sec. 2-209. HOWEVER, IF THE ALLEGATION IS THAT THE DEATH OCCURRED BECAUSE OF THE INTENTIONAL OPERATION OF A MOTOR VEHICLE OR BOAT SO AS TO CAUSE INJURY OR IMPACT, SUCH AS RUNNING OVER THE VICTIM WITH AN AUTOMOBILE, USE THIS SECTION.

By Automobile, Boat, Etc.

CR 2-209
 FELONY
 DISTRICT COURT
 \$5,000.00 - 10 YEARS
 RELEASE RESTRICTION

****NEG MANS�-AUTO/BOAT, ETC.****

...did, unlawfully, in a grossly negligent manner, kill and slay
 _____.

NOTE: This section is to be used only when the death results unintentionally from the operation of a motor vehicle, boat, or other vehicle. If the defendant intended to operate his/her vehicle so as to cause impact, see CR 2-207. If the defendant was impaired or under the influence of alcohol or drugs, see CR 2-503.

Homicide by Motor Vehicle/Vessel While Under the Influence

CR 2-503
 FELONY
 DISTRICT COURT
 \$5,000.00 - 5 YEARS

****NEG AUTO/BOAT HMCD-UNDER INFLU****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while under the influence, did kill _____ (name of victim), against the peace, government, and dignity of the state.

CR 2-504
FELONY
DISTRICT COURT
\$5,000.00 -3 YEARS



****NEG HMCD-AUTO/BOAT-WHILE IMPAIRED****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired, did kill _____ (name of victim), against the peace, government, and dignity of the state.

Homicide by Motor Vehicle/Vessel Impaired-Drugs

CR 2-505
FELONY
DISTRICT COURT
\$5,000.00 -3 YEARS



****NEG HMCD-AUTO/BOAT-DRUGS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired, did kill _____ (name of victim), against the peace, government, and dignity of the state.

Homicide by Motor Vehicle/Vessel While Impaired-CDS.

CR 2-506
 FELONY
 DISTRICT COURT
 \$5,000.00 -3 YEARS

****NEG HMCD-AUTO/BOAT-CDS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired by a controlled dangerous substance, did kill _____ (name of victim), against the peace, government, and dignity of the state.

NOTE: If a breathalyzer, blood chemical, or urine test has been done so as to yield a blood/alcohol content, the definitions of Under Influence and Impaired are exactly the same as to TR Sec. 21-902. If no test was done because a defendant refused or the time limit passed, charge Auto/Boat MANSLAUGHTER-UNDER INFLUENCE, as the IMPAIRED version is a lesser included offense. Facts in the statement of probable cause must show observations supporting the fact that the defendant was under the influence.

NOTE: District Court has jurisdiction on these felonies.

ASSISTED SUICIDE

NOTE: The statute provides exceptions for health care providers and family members under certain circumstances. Therefore, it is recommended that the statute be consulted before charging in a particular case.

CR 3-102(1)
 (PENALTY SEC. 3-104)
 FELONY
 \$10,000.00 - 1 YEAR
 PRELIMINARY HEARING

****ASSISTED SUICIDE: COERCION****

...did, with purpose of assisting _____ (name) to [commit/attempt to commit] suicide, knowingly cause, by coercion, duress or deception, _____ (name) to [commit/attempt to commit] suicide.

CR 3-102(2)
 (PENALTY SEC. 3-104)
 FELONY
 \$10,000.00 - 1 YEAR
 PRELIMINARY HEARING



****ASST. SUICIDE: PROVIDE MEANS****

...did, with the purpose of assisting _____ (name) to
 [commit/attempt to commit] suicide, knowingly provided the
 physical means to _____ (name) to
 [commit/attempt to commit] suicide with knowledge of
 _____ (name) intent to use said physical means to
 commit suicide.

CR 3-102(3)
 FELONY
 \$10,000.00 - 1 YEAR
 PRELIMINARY HEARING



****ASST. SUICIDE: PARTICIPATION****

...did, with the purpose of assisting _____ (name) to
 [commit/attempt to commit] suicide, knowingly participate in a
 physical act by which _____ (name)
 [committed/attempted to commit] suicide.

CR 3-202
 FELONY
 25 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****ASSAULT-FIRST DEGREE**

...did assault [_____ (name)/attempt to assault] _____ (name)
 in the first degree in violation of CR 3-202, contrary to the form
 of the act of the assembly in such case made and provided and
 against the peace, government and dignity of the state.

Statutory Assault Second Degree

CR 3-203
 MISDEMEANOR
 \$2,500.00 - 10 YEARS

****ASSAULT-SEC DEGREE****

...did assault _____ (name) in the second degree in violation of CR 3-203, contrary to the form of the act of the assembly in such case made and provided and against the peace, government, and dignity of the state.

CR 3-203(2)
 FELONY
 DISTRICT
 \$5,000.00 - 10 YEARS

****ASSAULT SEC DEG - LAW ENFORCEMENT OFFICER****

...did intentionally cause physical injury in the second degree to _____ (name), a law enforcement officer engaged in the performance of [his/her] official duties, in violation of CR 3-203.

CR 3-204(a)(1)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****RECKLESS ENDANGERMENT****

...did recklessly engage in conduct, to wit: _____, that create a substantial risk of death or serious physical injury to _____ (name).

NOTE: Effective 10/1/97 law enforcement officers and security guards are no longer excluded from the provisions of section CR 204(a)(1).

CR 3-204(a)(2)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS



****RECK ENDANGERMENT FROM CAR****

...did recklessly discharge a firearm from a motor vehicle in such a manner as to create a risk of death or serious physical injury to _____ (name).

NOTE: Use of CR 3-204(a)(1) should be made for each separate victim in any criminal incident. Every person recklessly endangered by the defendant's conduct should be named as the victim in a separate charge.

NOTE: Neither charge under CR 3-204 applies to the use of a motor vehicle as defined in TR Sec 11-135. The second charge applies only to discharge of firearm from a motor vehicle.

ASSAULT BY INMATES

On Division of Correction Employee, etc.

CR 3-210
 FELONY
 25 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****ASSLT 1ST/DOC EMPLOYEE ETC.****

...did assault in the first degree, _____, an [inmate/employee] of the [Division of Correction/Patuxent Institution/Baltimore City Detention Center/_____ County Jail/ _____ County Detention Center].

CR 3-210
 MISDEMEANOR
 \$2,500.00 - 10 YEARS



****ASSLT 2ND/DOC EMPLOYEE ETC.****

...did assault in the second degree, _____ (name), an
 [inmate/employee] of the [Division of Correction/Patuxtent
 Institution/ Baltimore City Detention Center/ _____ County
 Jail/ _____ County Detention Center].

NOTE: The sentence for the crime of assault by an inmate in
 the first or second degree may not be suspended. A sentence
 imposed under this section must be served consecutively to any
 sentence being served at the time of the assault, or had been
 imposed but was not yet being served at the time of sentencing.

**Life Threatening Injury by Motor Veh/Boat while Under
 Influence**

CR 3-211(c)
 MISDEMEANOR
 \$5,000.00 - 3 YEARS



****LIFE THRT INJ/VEH-BOAT/UNDER INFLU****

...unlawfully, as a result of [his/her] negligent driving,
 operation, and control of a [motor vehicle/vessel] while under
 the influence, did cause life threatening injury to _____ (name
 of victim), against the peace, government, and dignity of the
 state.

Life Threatening Injury by Motor Veh/Boat While Impaired

CR 3-211(d)
MISDEMEANOR
\$3,000.00 - 2 YEARS



****LIFE THRT INJ/VEH-BOAT/IMPAIRED****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired by alcohol, did cause life threatening injury to _____ (name of victim), against the peace, government, and dignity of the state.

Life Threatening Injury by Motor Veh/Boat while Impaired-Drugs

CR 3-211(e)
MISDEMEANOR
\$3,000.00 - 2 YEARS



****LIFE THRT INJ/VEH-BOAT/DRUGS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired by drugs, did cause a life threatening injury to _____ (name of victim), against the peace, government, and dignity of the state.

Life Threatening Injury by Motor Veh/Boat Impaired-CDS

CR 3-211(f)
MISDEMEANOR
\$3,000.00 - 2 YEARS



****LIFE THRT INJ/VEH-BOAT/CDS****

...unlawfully, as a result of [his/her] negligent driving, operation, and control of a [motor vehicle/vessel] while impaired by a controlled dangerous substance, did cause a life threatening injury to _____ (name of victim) against the peace, government, and dignity of the state.

POISON

CR 3-213
 FELONY
 10 YEARS
 PRELIMINARY HEARING

****POISON: ATTEMPT****

...did attempt to poison _____ (name).

NOTE: If the victim ingested some of the poison, the officer should be directed to consult the State's Attorney.

CR 3-214(a)
 FELONY
 20 YEARS
 PRELIMINARY HEARING

****CONTAMINATE/POISON WATER****

...did knowingly and willfully poison, defile, corrupt, and contaminate the waters of a [well/spring/brook/lake/pond/stream/river/reservoir/source of water supply] used for drinking and domestic purposes by means of _____(describe contaminant).

CR 3-215
 MISDEMEANOR
 \$2,500.00 – 10 YEARS

****CAUSE INJECT BODILY FLUID****

...did knowingly and willfully cause another to inject [seminal fluid/blood/urine/feces] [without consent/by force or threat of force].

Sexual Offenses

Note: spouse against spouse offense under this subheading.

Where a person is alleged to have committed any offense under this subheading against that person's legal spouse, the following rules determine which charges, if any, may be filed.

(1.) If the elements for CR 3-305 (first degree sexual offense) or CR-306 (second degree sexual offense) are present, then no restrictions exist to the filing of such charges.

(2.) If the elements for CR 3-303 (first degree rape), CR 3-304 (second degree rape), CR 3-307 (third degree sexual offense) or CR 3-308 (fourth degree sexual offense) are present, then any of such charges may be filed if the person and the person's spouse have lived separate and apart without cohabitation and without interruption pursuant to a decree of limited divorce.

(3.) If the elements for CR 3-303 (a), CR 3-304 (a)(1) (second degree rape with use of force), CR 3-307(a) are present, then any of such charges may be filed

RAPE, GENERALLY

Note: all rape charges, except as noted below with respect to rape 2nd degree, include the elements of:

1. Vaginal intercourse;
2. With another person;
3. By force or threat of force;
4. Against the will and;
5. Without the consent of the other person. All rape is to be charged as second degree rape (CR 3-304) unless raised to the status of a first degree rape by the presence of one or more of the following aggravating factors:

1. Employment or display of a dangerous or deadly weapon or an item that the victim reasonably believes to be such a weapon;
2. The defendant inflicts suffocation, strangulation, disfigurement, or serious physical injury upon the victim or another person in the course of committing the offense;
3. The defendant threatens or places the victim in fear that the victim or any person known to the victim will be imminently subjected to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping;
4. The defendant is aided and abetted by one or more co-defendants;
5. The defendant commits the offense in connection with a burglary in the first, second, or third degree.

Second degree rape may be committed without force or threat of force and with the consent of the victim if:

1. The victim is mentally defective, mentally incapacitated, or physically helpless and the defendant knew or reasonably should have known of the victim's condition; or
2. The victim is under 14 years of age and the defendant is at least four years older than the victim.

As to both degrees of rape, any degree of penetration, no matter how slight, is sufficient to establish the element of vaginal intercourse.

First Degree Rape

CR 3-303
 FELONY
 LIFE IMPRISONMENT,
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING
 CP 5-202
 RELEASE RESTRICTION

****RAPE FIRST DEGREE****

...did unlawfully commit a rape in the first degree upon _____
 (name), in violation of CR 3-303 of the Annotated Code of
 Maryland.

NOTE: ENHANCED PENALTY First and Second Degree

NOTE: See CR 3-310 for Attempted 2nd Degree Rape.

NOTE: ENHANCED PENALTY First and Second Degree
 Rape and First and Second Degree Sexual Offenses under this
 subheading IF THE VICTIM IS UNDER 16 YEARS OF AGE.

If, under this subheading, the defendant is charged with any of the following:

1. Rape First Degree CR 3-303
2. Rape Second Degree CR 3-304
3. First Degree Sex Offense CR 3-305
4. Second Degree Sex Offense CR 3-306

AND if:

- 1) the victim of the above crime is under the age of 16 years,

AND if:

- 2) the defendant is also charged IN THE SAME PROCEEDING with a violation of CR 3-503, Kidnap-Child Under 16; the defendant MAY be eligible for the enhanced penalty of a life sentence without the possibility of parole.

The enhanced penalty cannot apply until the State's Attorney serves a notice of intent to seek it, which must be done at least 30 days prior to trial. Therefore, Commissioners are not normally presented with this situation at the initial appearance. Life without possibility of parole if victim was child under the age of 16 or defendant was previously convicted of violation, this article with the victim being under the age of 16 or Section 3-305 of this article.

However, Commissioners should be aware that if the Statement of Probable Cause indicates that all of the conditions listed above are present, the defendant may face the enhanced penalty later in the proceedings. Where appropriate, Commissioners may consider this factor in their determination of pre-trial release.

IN THE EVENT that the initial appearance is conducted upon a District or Circuit Court Warrant to which a copy of the Notice to Defendant of the State's Election to seek a Life Sentence Without the Possibility of Parole is attached, or to which other indication is attached that shows the State's Attorney has decided to seek the enhanced penalty, the Commissioner should place the Defendant on NO BAIL pending the bail review, and retain a copy of the notice or letter in the Court folder.

Refer to Part I,

Second Degree Rape

CR 3-304
FELONY
20 YEARS
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
RELEASE RESTRICTION



****RAPE SECOND DEGREE****

...did unlawfully commit a rape in the second degree upon
_____ (name), in violation of CR 3-304 of the Annotated Code
of Maryland.

SEXUAL OFFENSES

NOTE: First and Second Degree Sexual Offenses involve the commission of a Sexual Act, defined as cunnilingus, fellatio, anilingus, or anal intercourse (but not vaginal intercourse; see RAPE above). Sexual CONTACT, as used in Third Degree Sexual Offense, is the intentional touching of the victim's or defendant's anal or genital areas or other intimate parts for the purpose of sexual arousal or gratification. Sexual CONTACT includes the penetration of vagina or anus with anything other than a penis, mouth, or tongue. For further clarification, refer to CR 3-301, or consult the State's Attorney's Office.

The charging language used for all sexual offenses is authorized by CR 3-301. See the note following each section for a list of the elements which must be present in the Statement of Probable Cause in order to find probable cause at the initial appearance.

First Degree Sexual Offense

CR 3-305
FELONY
LIFE IMPRISONMENT,
SUB. CONVICTION,
ENHANCED PENALTY
PRELIMINARY HEARING
CP 5-202
RELEASE RESTRICTION



****SEX OFFENSE FIRST DEGREE****

...did unlawfully commit a sexual offense in the first degree upon ____ (name), in violation of CR 3-305 of the Annotated Code of Maryland.

NOTE: Probable cause for a first degree sexual offense requires that the defendant engaged in a Sexual Act with the victim by force or threat of force and without the consent of the victim and that one or more of the following aggravating factors be present in the commission of the crime:

1. The defendant employed or displayed a dangerous or deadly weapon or an object that the victim could reasonably conclude to be such a weapon.
2. The defendant inflicted suffocation, strangulation, disfigurement or serious physical injury on the victim or another person in the commission of the crime.
3. The defendant threatened, or placed the victim in fear of suffocation, strangulation, disfigurement, serious physical injury, or kidnapping of the victim or any person known to the victim.
4. The defendant had one or more co-defendants in the commission of the crime (but it is not necessary that the co-defendants be arrested or charged, merely that one or more existed).
5. The defendant committed the crime in connection with a burglary in the first, second, or third degree.

NOTE: Second Degree Sexual Offense is a lesser included offense of First Degree Sexual Offense.

NOTE: See CR 3-311 for Attempted 1st Degree Sex Offense.

See Enhanced Penalty Note Above.

Second Degree Sexual Offense

CR 3-306
FELONY
20 YEARS
SUB. CONVICATION,
ENHANCED PENALTY
PRELIMINARY HEARING
RELEASE RESTRICTION



****SEX OFFENSE SECOND DEGREE****

...did unlawfully commit a sexual offense in the second degree upon ____ (name), in violation of CR 3-306 the Annotated Code of Maryland.

NOTE: This charge includes any of the following:

1. The defendant engages in a sexual ACT with another person
 - a. by force or threat of force and without the consent of the victim; or
 - b. the victim is mentally defective, mentally incapacitated, or physically helpless and the defendant knew or reasonably should have known or the victim's condition, or
2. The victim was under 14 years of age and the defendant was 4 or more years older.

NOTE: See CR 3-312 for Attempted 2nd Degree Sex Offense.

Sexual Offense Third Degree

CR 3-307
FELONY
10 YEARS
PRELIMINARY HEARING



****SEX OFFENSE THIRD DEGREE****

...did unlawfully commit a sexual offense in the third degree upon ____ (name) in violation of CR 3-307 of the Annotated Code of Maryland.

NOTE: Probable Cause is established if the defendant engaged in sexual CONTACT with another person:

1. Without with the consent of the other person and included one or more of the following aggravating factors:

a. Defendant employed or displayed a dangerous or deadly weapon or an object the victim reasonably believed to be such a weapon; or

b. Defendant inflicted suffocation, strangulation, disfigurement or serious injury upon the victim or another person in the course of committing the crime; or

c. Defendant threatened or placed the victim in fear that the victim or another person known to the victim would be immediately subjected to suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; or

d. Defendant had one or more co-defendants;

2. Defendant engaged in sexual contact with a victim who is mentally defective, mentally incapacitated, or physically helpless and the defendant knew or should reasonably have known of the victim's condition.
3. Defendant engaged in a sexual contact with a victim was under 14 years of age and the defendant was 4 or more years older.
4. Defendant engaged in sexual ACT or vaginal intercourse with another person who was 14 or 15 years of age and the defendant is at least 21 years of age.

Fourth Degree Sexual Offense

CR 3-308
 MISDEMEANOR
 \$1,000.00 - 1 YEAR
 SUB OFFENSE
 \$1,000.00 - 3 YEARS



****SEX OFFENSE FOURTH DEGREE****

...did unlawfully commit a sexual offense in the fourth degree upon _____ (name), in violation of CR 3-308 of the Annotated Code of Maryland.

NOTE: This section can be violated in any one of three ways. For probable cause to be found, the Statement of Probable Cause must state that:

1. The defendant engaged in sexual contact with another person without the consent of that person (no aggravating factors as in Third Degree Sexual Offense) or;
2. The defendant engaged in a sexual ACT with a person who was 14 or 15 years of age and the defendant was 4 or more years older (but not 21 years of age; See Sex Offense Third Degree), or;
3. The defendant engaged in vaginal intercourse with a person 14 or 15 years of age and the defendant was 4 or more years older (but not 21 years of age or over; see Sex Offense Third Degree).

Attempted First Degree Rape

CR 3-309
 FELONY
 LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ATT 1ST DEG RAPE****

...did unlawfully attempt to commit a rape in the first degree upon _____ (name), in violation of CR 3-309 of the Annotated Code of Maryland.

Attempted Second Degree Rape

CR 3-310
 FELONY
 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ATT 2ND DEG RAPE****

...did unlawfully attempt to commit a rape in the second degree upon _____ (name), in violation of CR 3-310 of the Annotated Code of Maryland.

ATTEMPTED SEXUAL OFFENSES**Attempted First Degree Sex Offense**

CR 3-311
 FELONY
 LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ATT 1ST DEG SEX OFFENSE****

...did unlawfully attempt to commit a sexual offense in the first degree upon _____ (name), in violation of CR 3-311 of the Annotated Code of Maryland.

Attempted Second Degree Sex Offense

CR 3-312
 FELONY
 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ATT 2ND DEG SEX OFFENSE****

...did unlawfully attempt to commit a sexual offense in the second degree upon _____ (name), in violation of CR 3-312 of the Annotated Code of Maryland.

Sexual Offenses by Correctional Employee

CR 3-314(b)
 MISDEMEANOR
 \$3,000.00 - 3 YEARS

****CORRECTIONAL EMP/SEX OFFENSE****

...being a correctional employee, did engage in vaginal intercourse or a sexual act with an inmate.

CR 3-314(c)
 MISDEMEANOR
 \$3,000.00 - 3 YEARS

****CORRECTIONAL EMP/SEX OFF-JUV****

...being [an employee of the Department of Juvenile Justice / a licensee of the Department of Juvenile Justice], did engage in [vaginal intercourse / a sexual act] with _____ (name), an individual confined in _____ (name facility).

NOTE: These include: The Baltimore City Juvenile Justice Center; J. Deweese Carter Center; Charles H. Hickey, Jr. School; Alfred D. Noyes Children's Center; Cheltenham Youth Facility; Victor Cullen Center; Thomas J. S. Waxter Children's Center; and Thomas J. S. Waxter Youth Centers.

CR 3-315
FELONY
30 YEARS



****SEX ABUSE MINOR-CONTINUING COURSE OF CONDUCT****

...did engage in a continuing course of conduct over a period of 90 days or more with a victim under the age of 14 years, to wit: _____ (name), which includes three or more acts in violation of Section 3-303, 3-304, 3-305, 3-306, and 3-307 of the Criminal Law Article.

SODOMY

Generally

CR 3-321
FELONY
10 YEARS
PRELIMINARY HEARING



****SODOMY-GENERALLY****

...did unlawfully commit sodomy upon _____ (name).

NOTE: Common law crime. Contemplates placing penis in anus of victim. Consent is not a defense. The statute does not require an explicit spelling out of details.

NOTE: In Schotchet v. State, 320 Md. 714 (1990), the Court of Appeals held that this crime excludes consensual non-commercial, heterosexual activity.

Unnatural/Perverted Sexual Practice

CR 3-322
MISDEMEANOR
\$1,000.00 - 10 YEARS



****PERVERTED PRACTICE****

...did commit a certain unnatural and perverted sexual practice with ____ (name of person or type of animal).

NOTE: Perverted practices include cunnilingus, fellatio, and bestiality.

INCEST

Carnal Knowledge of Another - Degrees of Consanguinity Etc. Prohibited

CR 3-323
FELONY
10 YEARS
PRELIMINARY HEARING



****INCEST****

...did knowingly have carnal knowledge of ____ (name), [his/her] ____ (state relationship), such relationship being within the degrees of consanguinity within which marriage is prohibited.

NOTE: "Carnal Knowledge" means sexual intercourse. The relationship between which such activity is prohibited are the same as those within which marriage is prohibited. There is a list of such relationships under prohibited marriages under FL 2-202.

CR 3-324
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING



****SEXUAL SOLICITATION OF A MINOR****

...did, with intent, knowingly solicit a [minor/law enforcement officer posing as a minor] to engage in activities under [Section 3-304/3-306/3-307] of the Criminal Law Article of Maryland.

NOTE: A violation is considered committed in this State if it originated or is received in this State.

NOTE: See article for definition of solicit.

ROBBERY

GENERAL NOTE: To rob is to take something away from a person by force or violence (no matter how slight) or by threat of force or violence. The victim must be a person, not a business, corporation, institute, or governmental entity, but need not be the owner of the property. The victim is the person from whom the property was taken, and there should be a separate charge for each victim.

In General

CR 3-402
 FELONY
 15 YEARS
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****ROBBERY****

...did unlawfully and feloniously [rob/attempt to rob] [_____
 (victim) of _____ (item taken).

Robbery-Armed

CR 3-403
 FELONY
 20 YEARS
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****ARMED ROBBERY****

...did unlawfully and feloniously, [with a dangerous weapon/by displaying a written instrument claiming that the person had a dangerous weapon], [rob/attempt to rob] _____ (victim) and violently did steal from said person _____ (items taken).

NOTE: Weapon means any actual weapon or any instrument that the victim reasonably perceives to be a dangerous and deadly weapon, that could inflict death or greivous bodily harm.

If an actual handgun is involved, armed robbery and a separate charge of use of a handgun in the commission of a crime of violence under CR 4-203 should be placed.

CARJACKING**Carjacking**

CR 3-405(b)(1)
 FELONY
 30 YEARS
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING

****CARJACKING****

...did obtain unauthorized possession and control of a motor vehicle, to wit: _____ (describe), from _____ (name of victim) who was then and there in actual possession of the motor vehicle, by [force and violence/placing said individual in fear through intimidation and threat of force and violence].

CR 3-405(c)(1)
 FELONY
 30 YEARS
 SUB. CONVICTION,
 ENHANCED PENALTY
 PRELIMINARY HEARING



****ARMED CARJACKING****

...did obtain unauthorized possession and control of a motor vehicle, to wit: _____ (describe) from _____ (name of victim) who was then and there in actual possession of the motor vehicle by [force, violence, and employing and displaying a dangerous and deadly weapon/placing said individual in fear through intimidation, threat of force and violence, and employment and display of a dangerous and deadly weapon].

KIDNAPPING

Generally

CR 3-502
 FELONY
 30 YEARS
 PRELIMINARY HEARING
 SEE NOTE ENHANCED
 PENALTY
 SUB. CONVICTION
 RELEASE RESTRICTION



****KIDNAPPING****

...did forcibly and fraudulently carry and cause to be carried a certain person, to wit: _____ (name) with the intent to have the said person carried and concealed [within/out of] this State.

NOTE: CR 3-502 makes no distinction between minor and adult victims UNLESS the victim was a minor and the defendant was the victim's parent. If both of those are true, the defendant may not be charged under this section. See Child Abduction.

NOTE: If the victim is under 16, see Abduction CR 3-503.

NOTE: Maryland has jurisdiction over this crime if any portion of the kidnap, carrying, or concealment occurred within the State. As to the word choice offered in the above language, if the final destination or intended destination of the kidnapped victim is known to be out of State, use the words "out of." Otherwise use the word "within."

NOTE: This section applies to every person having anything to do with the kidnap including aiders, abettors and counsellors, all of whom are charged as principals.

NOTE: See Parental Exception under CR 3-502 (c).

Children Under 16

CR 3-503(a)
FELONY
30 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION
SUB. CONVICTION,
ENHANCED PENALTY



****KIDNAP-CHILD UNDER 16****

...did [forcibly/fraudulently] steal, take, and carry away _____
(name of victim), a child under the age of 16.

NOTE: A parent of the victim may not be charged under this section. See CR 3-503.

NOTE: Aiders, abettors, and counselors are charged as principals.

NOTE: A defendant charged with this crime is eligible for a maximum of 30 years, as noted. However, if the defendant is also charged in the same proceeding with a violation of CR 3-303 through CR 3-306 (First and Second Degree Rape and Sexual Offense), and if the victim of the sexual charge is also under the age of 16, the defendant may be eligible for a penalty of a life sentence without the possibility of parole, if the State's Attorney so elects. There is no requirement that the victim of both crimes be the same, but if not, both victims must be under 16, and charged against the defendant in the same proceeding. If so, the defendant is not eligible for the life sentence without parole until the State's Attorney serves written notice upon the defendant, at least 30 days prior to trial, that the State is seeking that penalty.

Note to Commissioners: Since the enhanced penalty of life without the possibility of parole does not attach as a possibility unless both crimes are charged, involving a victim or victims under 16, in the same proceeding, the initial appearance should be conducted normally. If the Statement of Probable cause indicates that the factual situation applies, but the required notice from the State's Attorney has not been served, this may be a consideration in your determination as to pre-trial release.

IN THE EVENT that the initial appearance is conducted upon a District or Circuit Court Warrant to which a copy of the Notice to Defendant of the State's election to seek a Life Sentence Without the Possibility of Parole is attached, or to which other indication is attached that shows the State's Attorney has decided to seek the enhanced penalty, the Commissioner should place the Defendant on NO BAIL pending the bail review, and retain a copy of the notice or letter in the Court folder.

ABDUCTION**Child Under 12**

CR 3-503(a)(i)(ii)
 FELONY
 20 YEARS
 PRELIMINARY HEARING
 SUB. CONVICTION,
 ENHANCED PENALTY CR
 14-101

****ABDUCT CHILD UNDER 12****

...did, without the color of right and against the consent of the [parent/lawful guardian] forcibly abduct, take and carry away, persuade, and entice _____ (name), a child under the age of 12 from his/her [home and usual place of abode/the custody and control of his/her parents/guardian], with the intent to deprive the [parent/guardian] of the custody, care, and control of _____(name of victim).

CR 3-503(a)(iii)
 FELONY
 20 YEARS
 PRELIMINARY HEARING

****HARBOR/ABDUCTED CHLD UN 12****

...did knowingly secrete and harbor _____ (name), a child under the age of 12, who had been forcibly abducted, taken carried away and persuaded, and enticed from [his/her home and usual place of abode/the custody and control of his/her parent/ guardian] without the color of right and against the consent of the [parent/guardian] with the intent to deprive the [parent/guardian] of the custody, care, and control of _____(name of victim).

NOTE: For the purposes of this section, the terms "usual place of abode", "home", and "house" include the real property appurtenant thereto.

CR 3-601(b)
 FELONY
 30 YEARS
 PRELIMINARY HEARING



****CHILD ABUSE-1ST DEGREE: DEATH****

...did cause abuse that resulted in the death of _____ (name), a child under the age of 18, the defendant being a [parent/other person] who has [permanent/temporary care/custody/responsibility for the supervision] of said child, in violation of CR 3-601(b)(1)(i) of the Annotated Code of Maryland.

CHILD ABUSE

NOTE: The following notes apply to all Child abuse charges under this heading.

NOTE:

1. Child means any individual under the age of 18 years.

2. Abuse means the sustaining of physical injury by a child as a result of cruel or inhumane treatment or as a result of a malicious act by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; or sexual abuse of a child, whether physical injuries are sustained or not.

3. Sexual abuse means any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member.

Sexual abuse includes, but is not limited to incest, rape, or sexual offense in any degree; sodomy and unnatural or perverted sexual practices.

4. Family member means a relative of a child by blood, adoption, or marriage.

5. Household member means a person who lives with, or is a regular presence in, a home of a child at the time of the alleged abuse.

NOTE: A parent should always be charged under Child Abuse: Parent, or Child Abuse: Par-Res Death (if the victim died as a result of the abuse) because of the legal responsibilities of a parent to his or her child.

A family or household member other than the parent or legal guardian should always be charged, using the appropriate wording, under Child Abuse: Parent, or Child Abuse: Par-Res Death,

UNLESS THE FAMILY OR HOUSEHOLD MEMBER HAS BEEN LEFT IN TEMPORARY CARE, CUSTODY, AND CONTROL OF THE VICTIM [for instance, as a baby-sitter]. In that event, Child Abuse: Custodian, or Child Abuse: Cust-Res Death should be used along with the word temporary.

A legal guardian should be charged under the appropriate custodian section using the word permanent.

FOR PURPOSES OF THIS SECTION, THERE IS NO DIFFERENCE BETWEEN AN ADOPTIVE PARENT AND A NATURAL PARENT.

NOTE: For the purposes of this section, judicial construction has defined cruel and inhumane treatment by a parent or custodian (but not by a family or household member) to include a failure ...to provide necessary medical care... if that failure was due to negligence and if it resulted in serious physical injury or death. This includes a situation where the child had already suffered injury and ...as a result... the child suffered bodily harm additional to that initially sustained as a consequence of the injury originally inflicted upon him. (State vs. Fabritz, 276 Md. 416, 424, 425 -1975)

CR 3-601(b)
FELONY
25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



* 1 0 3 3 4 *

****CHILD ABUSE-1ST SEV PHYS INJURY****

...did cause abuse that resulted in severe physical injury to _____ (name), a child under the age of 18, the defendant being a [parent/other person] who has [permanent/temporary care/custody/responsibility for the supervision] of said child, in violation of CR 3-601(b)(1)(ii) of the Annotated Code of Maryland

Child Abuse Resulting in Death

CR 3-601(b)(2)(ii)
 FELONY
 30 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



* 1 0 6 8 8 *

****CHLD ABUSE/PAR-RES DEATH****

...did cause abuse resulting in death to _____(name), a child under 18 years of age, the defendant being a [parent of the child/family member of the child/household member], in violation of CR 3-601(b)(2)(ii).

CR 3-601(b)(2)(ii)
 FELONY
 15 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



* 1 0 6 8 9 *

****CHILD ABUSE/CUST-RES DEATH****

...did cause abuse resulting in death to _____(name), a child under 18 years of age, the defendant having [permanent/temporary] care, custody, and responsibility for the supervision of, said child, in violation of CR 3-601(b)(2)(ii) of the Annotated Code of Maryland.

CR 3-601(d)
FELONY
15 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****CHILD ABUSE- 2ND DEGREE: HOUSE****

...did cause abuse to _____ (name), a child under 18 years of age, the defendant being a [parent of the child/other person; to wit _____], in violation of CR 3-601(d) of the Annotated Code of Maryland.

CR 3-601(d)
FELONY
15 YEARS
PRELIMINARY HEARING



****CHILD ABUSE-2ND DEGREE: CUSTODIAN****

...did cause abuse to _____, a child under 18 years of age, the defendant having [permanent/temporary] care, custody, and responsibility for the supervision of, said child, in violation of CR 3-601(d) of the Annotated Code of Maryland.

CHILDREN - SALE, BARTER OR TRADE

Sexual Abuse of Minor

CR 3-602(b)
FELONY
25 YEARS PRELIMINARY
HEARING



****SEX ABUSE MINOR****

...did cause sexual abuse to _____ (name), a minor, the defendant being a [parent/household member/family member/other person], to wit: _____ (position) who has [permanent/temporary care/temporary care/temporary custody/temporary responsibility for supervision] of _____ (name).

Child Selling

CR 3-603
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****CHILD SELLING****

...did [sell/barter/trade/offer to sell/offer to barter/offer to trade]
 a child, to wit: _____ (name), for [money/property/ anything
 of value].

VULNERABLE ADULT ABUSE OR NEGLECT**Causing Abuse or Neglect of Vulnerable Adult**

CR 3-604(b)
 FELONY
 1ST DEGREE
 \$10,000.00 - 10 YEARS

****VUL ADULT ABUSE PHYSICAL INJURY****

...did cause [abuse to/neglect of] _____(name), a
 vulnerable adult, that [resulted in the death of
 _____/caused serious physical injury to
 _____/involved sexual abuse of _____], the
 defendant being a [parent/care giver/other person, to wit,
 _____(position)] who has [permanent care/temporary
 care/responsibility for the supervision of
 _____(name)].

NOTE: Includes abuse that is sexual abuse.

CR 3-605(b)(1)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****VUL ADULT ABUSE/CUSTODIAN****

...did cause [abuse to/neglect of] _____, a vulnerable adult, the defendant being a [parent/care giver/other person, to wit: _____ (position)] who has [permanent care/temporary care/responsibility for the supervision] of _____ (name).

NOTE: "Vulnerable adult" means an adult who lacks the physical or mental capacity to provide for the adult's daily needs.

CR 3-605(b)(2)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****VUL ADULT ABUSE/FAM MEMBER****

...did cause [abuse to/neglect of] _____, a vulnerable adult the defendant being a [household member/family member].

NOTE: A prosecution for an offense under this section shall be instituted within 2 years after the offense was committed.

NOTE: "Abuse" means the sustaining of any physical injury by a vulnerable adult as a result of cruel or inhumane treatment, or as a result of a malicious act by a care giver, a parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a vulnerable adult, or by any household member or family member under circumstances that indicate that the vulnerable adult's health or welfare is harmed or threatened.

Does not apply to abuse that is sexual abuse.

"Neglect" means the sustaining of serious physical harm by a vulnerable adult as the result of the wilful deprivation of adequate food, clothing, essential medical treatment or habilitative therapy, shelter, or supervision.

"Care Giver" means a person under a duty to care for a vulnerable adult because of a contractual undertaking to provide care.

"Household member" means an individual who lives with, or is a regular presence in, a home of a vulnerable adult at the time of the alleged abuse or neglect.

"Family member" means a relative of a vulnerable adult by blood, marriage, adoption, or the marriage of a child.

HAZING

Hazing Students Prohibited

CR 3-607
MISDEMEANOR
\$500.00 - 6 MONTHS



****HAZE-STUDENT-SCH-COLL-UNIV****

...did haze ____ (name), a student at _____, (name school, college or university), causing said student serious bodily injury.

NOTE: Haze means doing any act or causing any situation which recklessly or intentionally subjects a student to the risk of serious bodily injury, for the purpose of initiation into a student organization of a school, college, or university.

The implied or expressed consent of a student to hazing may not be a defense under this section.

Extortion Generally

CR 3-701(b)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING

****EXTORTION: VALUE \$500 PLUS****

...did obtain and attempt to obtain by extortion _____ having a value of \$500 or more from _____ (victim), in violation of CR 3-701(b) of the Annotated Code of Maryland.

NOTE: Prosecution for the felony must be initiated within 5 years of the date of commission of the offense.

NOTE: For purposes of this section, "extortion" means obtaining property from another, with his consent, induced by wrongful use of actual or threatened force or violence or by wrongful threat of economic injury.

CR 3-701(b)
 MISDEMEANOR
 \$500.00 - 18 MONTHS

****EXTORTION: VALUE LESS \$500****

...did obtain and attempt to obtain by extortion _____ having a value of less than \$500 from _____ (victim), in violation of CR 3-701(b) of the Annotated Code of Maryland.

Extortion by State or Local Officer of Employee-Generally

CR 3-702
 MISDEMEANOR
 \$500.00 - 6 MONTHS

****EXTORTN GOV EMP: VAL-\$500****

...did, being _____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ [money, property, other thing of value], having a value of less than \$500.00 from _____ (victim).



CR 3-702
FELONY
\$5,000.00 - 10 YEARS
PRELIMINARY HEARING

****EXTORTN GOV EMPL VAL \$500+****

...did, being _____ (name position, see note) of _____ (county or agency, see note) [obtain/attempt to obtain] by extortion _____ (money, property, other thing of value), having a value of \$500.00 or more from _____ (victim).

NOTE: Prosecution under CR 3-702 must be initiated within 5 years of the date of the offense. The statute covers officers and employees of the State of Maryland, the counties, Baltimore City, a municipality, and bi-county and multi-county agencies.

Extortion by State or Local Officer or Employee Against Another



CR 3-703
FELONY
\$5,000.00 - 5 YEARS
PRELIMINARY HEARING

****EXTORTION-BETWEEN GOVT OFF****

...did, being _____ (defendant's position, see note) of _____ (defendant's county or agency, see note), by force, intimidation, and threat, induce _____ (victim) to give up \$_____, a part of the compensation to which said victim was entitled as _____ (victim's position, see note) of _____ (victim's county or agency, see note).

NOTE: The defendant under CR 3-703 can be any officer or employee of the State of Maryland, any of its counties or Baltimore City, a municipality, or any bi county or multi county agency. The victim can be any officer or employee of any of these, or any person employed in any way in work financed in whole or in part by any of these.



CR 3-704(a)
MISDEMEANOR
\$10,000.00 - 10 YEARS

****EXTORT INT/FALS ACCUSATION****

...[did/did threaten to] falsely accuse _____ (victim) of a crime,
to wit: _____, with the intent to extort [money/profit] for said
victim.

Extorting by False Accusation



CR 3-704(A)
MISDEMEANOR
\$10,000.00 - 10 YEARS

****EXTORT INT/SLANDER****

...[did/did threaten to] falsely accuse _____ (victim) of _____
(brief statement of accusation) which, if true, would tend to
bring said person into disrepute and contempt, with the intent to
extort [money/profit] from said person.

Extorting by False Accusation



CR 3-705(a)(1)
FELONY
10 YEARS
PRELIMINARY HEARING

****VERBAL EXTORTION/THRT SLANDER****

...did verbally threaten to accuse _____ (name) of _____
(accusation) which, if true, would bring _____ (name) into
contempt and disrepute, with the intent to extort and gain
money, goods and chattels from said person.

CR 3-705(a)(1)
FELONY
10 YEARS
PRELIMINARY HEARING



* 1 1 7 0 3 *

****VERBAL EXTORTION/THRT CRIME****

...did verbally threaten to accuse _____ (name) of _____
(indictable crime) with the intent to extort and gain money,
goods and chattels from said person.

Extortion Verbal Threat

CR 3-705(a)(2)
FELONY
\$10,000.00 - 10 YEARS
PRELIMINARY HEARING



* 1 1 7 0 4 *

****VERBAL EXTORTION/THRT INJURY****

...did verbally threaten _____ (name of victim) with injury to
the person and property of _____ (name of victim or third
party) with the intent to extort and gain money, goods and
chattels from said person.

THREATS & THREATENING LETTERS

Sending, Delivering, etc For Extortion or To State Official

CR 3-706(b)(1)
FELONY
\$10,000.00 - 10 YEARS
PRELIMINARY HEARING



* 1 1 7 0 5 *

****PRINT EXTORT THREAT/OF CRIME****

...did knowingly [send/deliver/make for the purpose of being
sent/did part with the possession of] a letter and writing to
_____ (name) threatening to accuse said person of _____
(indictable crime) with the intent to extort and gain money,
goods and chattels from said person.

CR 3-706(b)(1)
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING



****PRINT EXTORT THREAT/OF LIBEL****

...did knowingly [send/deliver/make for the purpose of being/sent/did part with the possession of] a letter and writing to _____ (name victim) threatening to accuse said person of _____ (accusation) which, if true would bring said person into disrepute and contempt, with the intent to gain and extort money, goods, and chattels from the said person.

CR 3-706(b)(2)
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING



****THREATS-SEND/DELIVER-INJURY****

...did knowingly [send/deliver/make for the purpose of being/sent and did part with the possession of] a letter and writing to _____ (recipient or addressee) threatening said person with injury to the person and property of _____ (recipient, addressee or third party), with the intent to extort and gain money, goods, and chattels from said person.

Coercing/Intimidating Another Contribute/Donate

CR 3-707
 MISDEMEANOR
 \$100.00 - 90 DAYS



****THREAT OR COERCE TO DONATE****

...did engage in _____ (describe activity) with the intent to coerce and intimidate _____ (name) to contribute and donate goods, materials, services, and moneys to _____ a [social/economic/political] [organization/association].

NOTE: For the purpose of this section, "extortion" means the wrongful obtaining of the property from another with his consent, which consent was obtained under color or pretence of office, or under color of official right, or by wrongful use of actual or threatened force or violence.

Against State Officials To Injure, Kidnap Kill

CR 3-708(b)
MISDEMEANOR
\$2,500.00 - 3 YEARS



****THREAT/ST OFFICIAL/TO INJURE****

...did knowingly or wilfully make a threat to [take the life of/kidnap/bodily injure _____ (name)], a State Official.

CR 3-708(c)
MISDEMEANOR
\$2,500.00 - 3 YEARS



****THREAT/ST OFFICIAL/SENT****

...did knowingly [send and deliver/make for the purpose of sending and delivering/part with the possession of] a threat to [take the life of/kidnap/bodily injure _____ (name)], a State Official.

NOTE: "State Official" means a member or member-elect of the General Assembly, a judge or judge-elect of a court created by Article IV, 1232 or a constitutional officer, District Court Commissioner, masters, examiners, auditors, or officer-elect in an executive agency of the State government.

"Local Official" means an individual serving in a publicly elected office of a local government unit (county; municipal corporation; special district established by State law; special district that is established by a county; or an office, board, or department that is established by State law). See Section 10-101(d) of the State Government Article.

"State Official" includes the Governor, Governor-elect, Lieutenant Governor, and Lieutenant Governor-elect.

NOTE: "Threat" includes a verbal threat or a threat in any written form, whether or not the writing is signed, or if it is signed whether or not the writing is signed with a fictitious name or any other mark.

HARASSMENT AND STALKING

Stalking

CR 3-802(b)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****STALKING****

...did engage in stalking _____ (name of person).

NOTE: See CR 3-902 for conduct that does not apply.

NOTE: "Course of conduct" means a persistent pattern of conduct, composed of a series of acts over a period of time, that evidences a continuity of purpose.

"Stalking" means a malicious course of conduct that includes approaching or pursuing another person where a person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear of:

- I. serious bodily injury;
- II. assault in any degree;
- III. rape or sexual offense as defined by CR 3-303 through 3-308, or attempted rape or sexual offense in any degree;
- IV. false imprisonment; or
- V. death; or

That a third person likely will suffer any of the acts listed above.

NOTE: A police officer may arrest a person without a warrant if the police officer has probable cause to believe a stalking has been committed, the police officer has reason to believe that the alleged stalking victim or a third person is in danger of imminent bodily harm or death and the probable cause is supported by credible evidence other than statements of the alleged stalking victim. An officer may also arrest a person without a warrant if so authorized by CP 2-202.

NOTE: Under CP 5-201, if a defendant is charged with stalking under CR 3-802(b) and is released pretrial, the court or district court commissioner shall consider including as a condition of release reasonable protection for the safety of the alleged victim.

CR 3-803
MISDEMEANOR
\$500.00 - 90 DAYS



****HARASS FOL. ANOTH W/INT TO****

...did follow ____ (victim) [in/about] ____, a public place, with the intent to harass, alarm, and annoy ____ (victim) after [warning/request] to desist.

Harassment

CR 3-803
MISDEMEANOR
\$500.00 - 90 DAYS



****HARASS; A COURSE OF CONDUCT****

...did maliciously engage in a course of conduct that
[alarmed/seriously annoyed] _____ (victim), with intent to
[harass/alarm/and annoy] _____ (victim), after
[warning/request] to desist.

NOTE: In this section, "course of conduct" means a persistent pattern of conduct, composed of a series of acts over a period of time, that evidences a continuity of purpose.

This section does not apply to any peaceable activity intended to express political views or provide information to others.

The request to desist can be made by the victim or someone acting on behalf of the victim.

TELEPHONE MISUSE

Unlawful Use

CR 3-804(a)(1)
MISDEMEANOR
\$500.00 - 3 YEARS



****TEL MISUSE: SINGLE CALL****

...did use telephone facilities and equipment for an anonymous call in a manner to annoy, abuse, torment, harass and embarrass _____, (victim).

NOTE: This language is to be used for a single call (other than an obscene call, see below) in which the caller failed or refused to identify himself or herself. In order for probable cause to be found, the facts must indicate some method by which the caller was identified.

CR 3-804(a)(2)
MISDEMEANOR
\$500.00 - 3 YEARS



****TEL MISUSE: REPEAT CALLS****

...did use telephone facilities and equipment for repeated calls, with intent to annoy, abuse, torment, harass and embarrass _____ (victim).

NOTE: This language is to be used for multiple calls (other than obscene calls, see below) whether anonymous or otherwise. If anonymous, in order for probable cause to be found, the facts must indicate some method by which the caller was identified.

CR 3-804(a)(3)
MISDEMEANOR
\$500.00 - 3 YEARS



****TEL MISUSE: OBSCENE****

...did use telephone facilities and equipment for comment, request, suggestion, and proposal which was obscene, lewd, lascivious, filthy and indecent, to _____ (victim).

NOTE: This language is to be used for obscene calls, single or multiple, whether or not anonymous, If anonymous, in order for probable cause to be found, the facts must indicate some method by which the caller was identified.

Electronic Mail

CR 3-805
MISDEMEANOR
\$500.00 - 1 YEAR



****ELEC MAIL HARASS****

...did use electronic mail by sending lewd, lascivious and obscene material to, and with the intent to harass _____ (name of person or persons).

NOTE: To find probable cause under this section, the statement of probable cause must include some indication that the named person or persons actually received the electronic mail. The sender may be charged where the e-mail was sent or received.

LASER POINTERS

Laser Pointers

CR 3-806
MISDEMEANOR
\$500.00



* 2 0 0 7 0 *

****LASER POINTERS - PROHIBITED****

...did knowingly use a laser pointer to illuminate in a public place _____ (name) in a manner that [harassed/endangered] the said _____.

NOTE: Laser pointer is defined as any device that emits light amplified by the stimulated emission of radiation that is visible to the human eye.

NOTE: This section does not apply to the use of a laser pointer: (1) for educational purposes by individuals engaged in an organized meeting or training class; or (2) during the normal course of work or trade activities.

VISUAL SURVEILLANCE

Private Place

CR 3-901(c)
MISDEMEANOR
\$1,000.00 - 30 DAYS



* 1 0 0 1 3 *

****PEEPING TOM.****

...did [conduct/procure _____ (name) to conduct] visual surveillance of another person in a private place without the consent of that person in that place.

NOTE: See Section for Definitions.

NOTE: This section does not require proof of "prurient intent" as is required in CR 3-902.

Private Place - Prurient Intent

CR 3-902(c)
MISDEMEANOR
\$2,500.00 - 1 YEAR



****PRIV. PL. - PRURIENT INTENT****

...did, with prurient intent, [conduct/procure _____(name) to conduct] visual surveillance of another person in a private place without the consent of that person in that place.

NOTE: See Section for definitions and exclusions.

NOTE: This Section, unlike CR 3-902, requires "prurient intent" and expands the definition of "private place."

Private Residence

CR 3-903(c)
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****CAMERA - PRIVATE RESIDENCE****

...did [place/procure _____(name) to place] a camera on real property on which is located a private residence for the purpose of conducting deliberate surreptitious observations of a person inside said residence.

NOTE: See Section for exclusions.

**Legislative Declaration; Unlawful Picketing or Assembly,
etc.**

CR 3-904(c)
MISDEMEANOR
\$100.00 - 90 DAYS



****DISTURBANCE DWELLING/PICKET****

...did engage in picketing before and about the residence and
dwelling of _____(name) at _____(address).

CR 3-904(c)
MISDEMEANOR
\$100.00 - 90 DAYS



****DISTURB: DWELLING/ASSEMBLY****

...did intentionally assemble with another person to disrupt the
right to tranquillity of _____(name) in his home and dwelling.

NOTE: This section found unconstitutional in State v. Schuller,
280 Md. 305 (1977), but you should not take this into account
when determining probable cause.

LETTERS - WRONGFULLY OPENING

Opening Letters w/o Permission

CR 3-905
MISDEMEANOR
\$15.00 - 6 DAYS



****LETTERS-OPEN W/O PERM****

...did take and break open a letter addressed to
_____(name), without [his/her] permission.

TELEGRAPHS & TELEPHONES

Divulge Contents of Message; Refuse Transmit Message

CR 3-906(b)(1)
MISDEMEANOR
\$500.00 - 3 MONTHS



****TELEGRAPH ETC DIVULGE CONT****

...did wilfully divulge the contents and nature of contents of the private communication of _____(name), without permission, after having been entrusted to transmit and deliver said communication.

NOTE: Only applies to telephone or telegraph company employees.

CR 3-906(b)(2)
MISDEMEANOR
\$500.00 - 3 MONTHS



****TELEGRAPH REFUS TO DELIVER**

...did wilfully refuse and neglect to transmit and deliver the private communication of _____(name), after having been entrusted to do so.

NOTE: Only applies to telephone or telegraph company employees.

CARRYING OR WEARING WEAPON

NOTE: Included in deadly or dangerous weapons are a dirk knife, bowie knife, switchblade knife, star knife, sandclub, metal knuckles, a razor and a nunchaku. Not included are penknives without switchblades, or handguns.

NOTE: As used in this section, a "star knife" is a device used as a throwing weapon, consisting of several sharp or pointed blades arrayed as radially disposed arms about a central disk.

As used in this section, a "nunchaku" is a device consisting of two pieces, wood, metal, plastic, or other like substance connected by any chain, rope, leather or other flexible material not exceeding 24 inches in length.

NOTE: Carrying or wearing chemical mace, pepper mace, or a tear gas device concealed is not made illegal by this section if the defendant is an adult. Carrying such a device openly with intent to injure is charged under Section 36. The appropriate choices are provided in the wording below.

NOTE: The possession of pepper mace by a juvenile is a criminal charge under CR 4-101, but does not carry automatic adult jurisdiction.

Concealed Weapon-Carrying Openly W/Intent to Injure, Etc.

CR 4-101(c)
MISDEMEANOR
\$1,000.00 - 3 YEARS



MACE/CHEM DEVICE-INT/INJURE

...did openly wear and carry [chemical mace/pepper mace/ a tear gas device], with the intent and purpose of causing injury to [_____(name)/others] in an unlawful manner.

CR 4-101(c)(1)
MISDEMEANOR
\$1,000.00 - 3 YEARS



DEADLY WEAPON-CONCEAL

...did wear and carry _____ (state weapon), a dangerous weapon, concealed upon and about [his/her] person.



CR 4-101(c)(2)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****DEADLY WEAPON-INT/INJURE****

...did openly wear and carry _____ (state weapon), a dangerous weapon, with the intent and purpose of causing injury to [_____(name/others)] in an unlawful manner.

CARRYING DEADLY WEAPON ON PUBLIC SCHOOL PROPERTY

Generally



CR 4-102
MISDEMEANOR
\$1,000.00 - 3 YEARS

****DEADLY WPN ON SCHOOL PROP****

...did carry and possess _____ (name or describe weapon) upon public school property located at _____ (address).

NOTE: This section applies to all dangerous and deadly weapons in CR 4-101(c) in reference to all firearms, including rifles and handguns.

EXCEPT: Does not apply to law enforcement officers in the regular course of their duty, to any person hired by boards of education in counties and Baltimore City, to persons engaged in organized shooting activity for educational purposes, or to persons who, with a written invitation from the school principal, display or engage in historical demonstrations using weapons or replicas for educational purposes.

DISARMING LAW ENFORCEMENT OFFICER

CR 4-103
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING

****DISARM LAW OFFICER****

...did knowingly [remove/attempt to remove] a firearm from the possession of _____ (victim), knowing and having reason to know that said victim was acting within the course and scope of employment and was employed as: (pick one)

1. a law enforcement officer who, in an official capacity is authorized by law to make arrest;
2. a sheriff;
3. a deputy sheriff;
4. an assistant sheriff;
5. an employee of the Division of Correction;
6. an employee of the Patuxtent Institute;
7. an employee of the Division of Pretrial Detention and Services;
8. an employee of the Division of Parole and Probation;
9. an employee of _____ County Jail and Detention Center;
10. an employee of a booking facility, to wit: _____ (name facility).

CR 4-104
MISDEMEANOR
\$1,000.00



****FIREARMS-ACCESS BY MINORS****

...did store and leave a loaded firearm in a location where _____ (name of defendant) [knew/should have known] that an unsupervised minor under 16 years of age would gain access to the firearm.

NOTE: Firearm means pistol, revolver, rifle, shotgun, short-barreled rifle, short-barreled shot gun or any firearm except antique firearms as defined by CR 4-201.

"Minor" means an individual under the age of 16.

NOTE: Section does not apply if:

1. Minor's access supervised by person 18 years or older;
2. Minor's access obtained as result of unlawful entry;
3. Firearm in possession or control of law enforcement officer engaged in official duties;
4. Minor has certificate of firearm and hunter safety as set forth in section 10-301.1 of Natural Resources Article.

NOTE: COMMON LAW CONSPIRACY - CR 1-202 PENALTY, IS STILL IN EFFECT, BUT COMMISSIONERS ARE NOT TO USE THIS SECTION TO CHARGE.

KNIVES – SWITCHBLADE

CR 4-105(a)(1)(2)
MISDEMEANOR
\$500.00 - 12 MONTHS



****KNIFE SALE ETC SWITCHBLADE****

...did [sell/barter/display/offer to sell/offer to barter] a [switch blade knife/shooting knife].

NOTE: A switchblade knife is one which opens automatically by hand pressure applied to a button, spring or other device in the handle.

A "shooting knife" is a device designed to propel a knife from a metal sheath by means of a high-compression ejector spring.

BULLETPROOF BODY ARMOR

CR 4-106
MISDEMEANOR
\$5,000.00 - 5 YEARS



****WEAR BULLETPROOF ARMOR****

...did wear bulletproof body armor in the commission of a [crime of violence/drug trafficking crime] as defined in CR 14-101/CR 5-621(a), Annotated Code of Maryland, to wit:

_____.

CR 4-107
MISDEMEANOR
\$5,000.00 - 5 YEARS



****POSS ARMOR AFTR CONVICTION****

...did possess bulletproof body armor after having been convicted of a drug trafficking crime in violation of CR 5-621(a).

CR 4-107(A)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****POSS BULLETPROOF ARMOR****

...did [use/possess/purchase] bulletproof body armor after a previous conviction of a [crime of violence/drug trafficking crime] and does not hold a valid permit.

HANDGUNS

CR 4-203
 MISDEMEANOR
 SEE NOTE: PENALTIES

****HANDGUN ON PERSON****

...did wear, carry and transport a handgun upon and about their person.

Wearing, Carrying or Transporting; Commission of Crime

CR 4-203
 MISDEMEANOR
 (PENALTY SEC. 4-203 (C))
 SEE NOTE: PENALTIES

****HANDGUN IN VEHICLE****

...did wear, carry and knowingly transport a handgun in a vehicle upon the public roads, highways, waterways, airways and parking lots generally used by the public.

NOTE: Refer to CR 4-203(c) for appropriate penalty.

NOTE:

- a. If no prior convictions under Sec. 36, 36A or 36B, fine of no less than \$250.00, nor more than \$2,500.00; and/or imprisonment of no less than 30 days, nor more than 3 years. (90 day minimum if on school property.)
- b. If one prior conviction under cr 4-204, 4-101 or 4-102, 1 to 10 years, 1 year mandatory (3 year minimum if on school property.)
- c. If more than one prior conviction under CR 4-204, 4-101 or 4-102 or any combination of these crimes 3 to 10 years, 3 years mandatory (5 year minimum if on school property.)
- d. If carried with intent to injure or kill, 5 year minimum, maximum 10 years.

CR 4-204
MISDEMEANOR
SEE NOTE: PENALTIES
SUB. CONVICTION,
ENHANCED PENALTY



****HGV USE/FEL-VIOL CRIME****

...did use a [handgun/antique firearm capable of being concealed upon the person] in the commission of a [felony/crime of violence].

NOTE: Any felony will suffice to satisfy this statute. A "crime of violence" is defined in PS 5-101 or any felony and includes the common-law attempts at such crimes, and 1st & 2nd degree assault.

NOTE: To find probable cause under this section, the handgun must have been used in a felony or crime of violence as defined.

NOTE: Use in commission of Felony or crime of violence under PS 5-101 or any Felony whether the firearm is operable or inoperable at the time of the crime;

a. First offense, 5 to 20 years, 5 years mandatory. No parole for 5 years.

b. Second or subsequent offense, 5 to 20 years, 5 years minimum consecutive sentence with any other sentence imposed for the crime of violence or Felony.

NOTE: PS 5-101 defines "crime of violence" as meaning:

1. abduction;
2. Arson in the first degree;
3. Assault in the first or second degree;
4. Burglary in the first, second or third degree;
5. Carjacking and armed carjacking;
6. Escape in the first degree;
7. Kidnapping;
8. Voluntary manslaughter;
9. Maiming as previously proscribed under Art. 27-386;
10. Mayhem as previously proscribed under Art. 27-384;
11. Murder in the first or second degree;
12. Rape in the first or second degree;
13. Robbery;
14. Robbery with a dangerous weapon;
15. Sexual offense in the first, second or third degree;
16. An attempt to commit any of the crimes listed in 1-15;
17. Assault with intent to commit any of the crimes listed in 1-15 of the sub-section.;
18. Or a crime punishable by imprisonment for more than 1 year.

NOTE: Crimes of violence carrying mandatory sentences are also defined in CR 14-101(a).

FIREARMS**Demonstration in Public Place**

CR 4-208(a)(1)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR

****FIREARM DEMONST PUB PLACE****

...did have on and about [his/her] person a firearm [at a demonstration in a public place/in a vehicle within 1000 feet of a demonstration in a public place] after being told by a law enforcement officer that a demonstration was occurring at the public place and being ordered by the law enforcement officer to leave the area of the demonstration.

NOTE: Law enforcement officers excepted.

CR 4-303
 (PENALTY SEC. CR 4-306)
 MISDEMEANOR
 \$5,000.00-3 YEARS

****ASSAULT PISTOL ROSTER VIO****

...did unlawfully [possess in/sell in/offer to sell in/transfer in/purchase in/receive in/transport into] Maryland, an assault pistol, to wit: _____ (describe weapon).

NOTE: To be charged under this section, the weapon must be an assault pistol or their copies as defined in CR 4-301, to wit:

- (1.) AA Arms AP-9 Semiautomatics pistol;
- (2.) Bushmaster semiautomatic pistol;
- (3.) Claridge HI-TEC, semiautomatic pistol;
- (4.) D Max Industries semiautomatic pistol;
- (5.) Encom MK-IV, MP-9, or MP-45 semiautomatic pistol;
- (6.) Heckler and Koch semiautomatic SP-89;

- (7.) Holmes MP-83 semiautomatic pistol;
- (8.) Ingram MAC 10/11 semiautomatics and any variations including the Partisan Avenger and the SWD Cobray;
- (9.) Intratec TEC-9/DC-9 semiautomatic pistol in any centerfire variation;
- (10.) P.A.W.S. type semiautomatic pistol;
- (11.) Skorpion semiautomatic pistol;
- (12.) Spectre double action semiautomatic pistol (Sile, F.I.E., Mitchell);
- (13.) UZI semiautomatic pistol;
- (14.) Weaver Arms semiautomatic Nighthawk pistol; or
- (15.) Wilkinson semiautomatic "Linda" pistol.

CR 4-305
PENALTY CR 4-306
MISDEMEANOR
\$5,000.00 - 3 YEARS



****ASSAULT PISTOL ROSTER VIO****

...did unlawfully [manufacture/sell/offer for sale/purchase/receive/transfer] a detachable magazine with a capacity of more than 20 rounds of ammunition.

NOTE: .22 caliber rifle with a tubular magazine excepted.

NOTE: Assault Pistol means any specified firearms in the Statute or their copies, regardless of which company produced and manufactured the firearm.

CR 4-306(b)(1)
MISDEMEANOR
PENALTY - SEE NOTES



****ASSAULT PISTOL/MAG. USE****

...did use [an assault pistol/a magazine with a capacity of more than 20 rounds of ammunition] in the commission of [a felony, to wit: ____/any crime of violence as defined in CR 14-101, to wit: ____].

NOTE: To be charged under this section, the weapon must be an assault pistol as defined in CR 4-306(b)(1). See list previous page.

NOTE: Subsequent Offense Penalties:

1. 1st Offense: 5 to 20 years (minimum 5 years, no part suspended.)
2. 2nd or Subsequent Offense: 10 to 20 years (minimum 10 years served consecutively to any other sentence.)

NOTE: Assault Pistol means any specified firearms in the Statute or their copies, regardless of which company produced and manufactured the firearm.

Manufacturer's Register; Inspection of Stock

CR 4-403
MISDEMEANOR
\$100.00



****MCHNGUN: FAIL KEEP REGISTER****

...did fail to maintain a register showing the serial number of all machine guns which he manufactured.

CR 4-403(b)
MISDEMEANOR
\$100.00



****MCHN GUN: FAIL SHOW REGISTER****

...did, after demand by _____ (name and title of Police Officer, Marshal, or Sheriff) of _____ [county/city], refuse and fail to produce for inspection the register of machine guns required to be kept under CR 4-403 of the Annotated Code of Maryland.

NOTE: CR 4-403 applies to manufacturers only.

MACHINE GUNS

Use for Crime

CR 4-404
FELONY
20 YEARS
PRELIMINARY HEARING



****MACHINE GUN-USE FOR CRIME****

...did [possess and use a machine gun in the perpetration/ attempted perpetration] of a crime of violence, to wit: _____.

NOTE: Machine gun is defined as a weapon, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine by a single function of the firing device.

Crimes of Violence includes perpetration or attempt to perpetrate murder, manslaughter, rape, kidnapping, mayhem, assault in the first degree, under CR 3-402 or 403, burglary in any degree, theft, and escape in the first degree.

Use for Aggressive Purpose

CR 4-405(a)
 MISDEMEANOR
 10 YEARS

****MACH GUN AGGRESSIVE PURPOSE****

...did possess and use a machine gun, to wit: _____ (describe weapon), for an aggressive and offensive purpose (choose appropriate wording below):

1. in that the said machine gun was not registered as required by CR 4-403 of the Annotated Code of Maryland;
2. in that the said machine gun was on premises not owned or rented by the defendant;
3. in that shells for the said machine gun were found in the immediate vicinity of the said machine gun (see note below);
4. in that the said machine gun was in the possession of an unnaturalized foreign-born person, to wit: _____ (name);
5. in that the said machine gun was in the possession of defendant, who had been previously convicted of a crime of violence, to wit: _____ (name crime);
6. to wit: _____ (name crime other than crime of violence as defined in CR 14-101).

NOTE: There is no precise definition of "aggressive" or "offensive" purpose in the statute. In CR 4-405, a machine gun is presumed to be possessed for such a purpose under certain circumstances. These are presented in the first five choices in the above charge. If the machine gun was possessed or used in a crime of violence as defined in CR 14-101, the defendant should be charged under CR 4-404. If the machine gun was possessed or used in the perpetration of any other crime or attempted crime, the defendant should be charged under CR 4-405, using the sixth choice or wording.

NOTE: Under CR 4-405, if the machine gun was found in close proximity to shells, it does not matter whether the shells were empty or loaded as long as they could be used in that machine gun.

NOTE EXCEPTIONS SET FORTH IN SECTION 4-402.

DESTRUCTIVE DEVICES

NOTE: The Acts of 1997 revised the laws on explosives to consolidate the law on this subject and to ensure that the creation of any device intended to cause damage to property or injury to persons by way of explosion, fire, or poison is covered by the law. This revision does not prohibit or regulate any materials that are currently legal and commonly used in households and in business. This subheading would apply to such materials only when they are intentionally combined with a delivery system so as to create a destructive capacity for which they were never intended. Items that have legitimate uses become subject to the provisions of this subheading when a person uses them for a criminal purpose.

CR 4-503(a)(1)
FELONY
\$250,000.00 - 25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****DEST DEVICE MAN/POS/DIST****

...did
knowingly[manufacture/transport/possess/control/store/sell/dist
ribute/use] a destructive device.

NOTE: "Destructive Device" means explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property.

CR 4-503(a)(2)
FELONY
\$250,000.00 - 25 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****POSS EXPL/INCEND W/INTENT****

...did possess [explosive/incendiary/toxic] material with intent to create a destructive device.

NOTE: "Explosive material" means material which explodes when detonated and has a destructive capability, including: dynamite, ammonium nitrate, natural gas, oxygen cannisters.

"Incendiary material" means a flammable or combustible liquid, and includes gasoline, acetone, benzene, butane, jet fuel, fuel oil, kerosene, and diesel fuel.

"Toxic material" is defined as material which is capable of causing death or serious bodily injury almost immediately on being absorbed through the skin, inhaled, or ingested. It includes nerve gas, mustard gas, cyanide gas, chlorine gas, sulphuric acid, their precursors, and biological substances containing disease organisms. See CR 4-501 for complete definitions and exclusions.

HEALTH - CONTROLLED DANGEROUS SUBSTANCES**Schedules I & II - Order Forms Required for Distribution**

CR 5-303(d)
 MISDEMEANOR
 \$100,000.00 - 2 YEARS

****CDS-DISTRIBUTE****

...did distribute a [controlled dangerous substance/controlled dangerous substance analogue] of schedule ____, to wit: ____, the defendant not being a registrant and not acting pursuant to a proper order form.

NOTE: This section applies only to Controlled Dangerous Substances of Schedules I and II.

Opiates-Without Prescription Schedule II

CR 5-501
 MISDEMEANOR
 1ST: \$1,000.00
 2ND: \$2,000.00
 MORE THAN 2ND
 OFFENSE - 18 MONTHS

****CDS OPIATE W/O PRESCRIPT.****

...did dispense a [controlled dangerous substance/controlled dangerous substance analogue] of schedule ____, to wit: ____, without a valid prescription from a duly authorized prescriber in this state.



CR 5-505(b)
MISDEMEANOR
\$1,000.00

****CDS CONTNR: AFFX FLSE LABL****

...did affix a [false/forged] label to a [package/container/other receptacle (name)] containing a controlled dangerous substance.



CR 5-505(b)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS REMOVE/ALTR REQD LABEL****

...did [remove/omit/alter/obliterate] a [label/symbol] required by [Federal/State/local] law to be attached to a controlled dangerous substance.



CR 5-505(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****MARIH: CONTNR PUT FLS LABL****

...did affix a [false/forged] label to a [package/container/other receptacle_____ (name)] containing a controlled dangerous substance.



CR 5-505(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****MAR: REMOVE/ALTR REQD LABEL****

...did [remove/omit/alter/obliterate] a [label/symbol] required by [Federal/State/local] law to be attached to a controlled dangerous substance.

CR 5-601
MISDEMEANOR
\$25,000.00 - 4 YEARS



****CDS: ADMIN - NOT MARIHUANA****

...did administer to _____ (name) a controlled dangerous substance of schedule _____, to wit: _____.

CR 5-601
MISDEMEANOR
\$1,000.00 - 1 YEAR



****CDS: ADMINISTER - MARIHUANA****

...did administer to _____ (name) a controlled dangerous substance of schedule _____, to wit: _____.

CR 5-601(2)(ii)
MISDEMEANOR
\$25,000.00 - 4 YEARS



****CDS OBTN BY ALTER PRESCRIP****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: _____/a controlled dangerous substance of Schedule _____, to wit: _____] by [forging/altering] a [prescription/written order].

CR 5-601(2)(ii)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****MARIUANA OBTN BY ALTR PRES****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: _____/a controlled dangerous substance of Schedule _____, to wit: _____] by [forging/altering] a [prescription/written order].



CR 5-601(2)(iii)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS OBTN BY MAKE FRGE PRES****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [making/uttering] a [false/forged] [prescription/ written order].

NOTE: The wording herein above set out may also be used where one procures or attempts to procure the administration of a controlled dangerous substance or Controlled Paraphernalia by merely substituting the wording "[procure/attempt to procure] the administration", in lieu of "[obtain/attempt to obtain]". Unlawful Possession, etc.; obtain etc. Substance by Fraud, etc.; Forged Labels, etc.



CR 5-601(2)(iii)(iv)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS OBTN BY CONCEAL FLS ID****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [the concealment of material facts/the use of a false name and address].



CR 5-601(2)(iii)(iv)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****OBTN MARIHUANA CONCL FLS ID****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [the concealment of material facts/the use of a false name and address].



CR 5-601(2)(iv)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS: OBTAIN BY PERSONATION****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [falsely assuming the title of/representing himself to be] a [manufacturer/distributor/practitioner].



CR 5-601(2)(v)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****MARIUANA OBTN BY PERSONATN****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by [falsely assuming the title of/representing himself to be] a [manufacturer/distributor/practitioner].



CR 5-601(a)(2)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS: OBTAIN BY FRAUD****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by fraud, deceit, mispresentation and subterfuge.



CR 5-601(a)(2)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****OBTAIN MARIHUANA BY FRAUD****

...did [obtain/attempt to obtain] [controlled paraphernalia, to wit: ____/a controlled dangerous substance of Schedule ____, to wit: ____] by fraud, deceit, mispresentation and subterfuge.



CR 5-601(a)(1)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS: POSSESS-NOT MARIHUANA****

...did possess a controlled dangerous substance of schedule _____, to wit: _____.



CR 5-601(a)(1)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****CDS: POSSESSION -MARIHUANA****

...did possess a controlled dangerous substance of schedule _____, to wit: _____.

CR 5-602
 PENALTY SECTION 5-609
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS: MFG/DIST-PCP/LSD****

...did unlawfully [manufacture/distribute to _____] a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit: _____
 (Choose from list on pages ____ - ____).

**NOTE: DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE),
 OR OTHER CDS.**

CR 5-602
 FELONY
 PENALTY SECTION 5-609
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: POS W/I DIST: PCP/LSD****

...did possess a [controlled dangerous substance/controlled
 dangerous substance analogue] of Schedule _____, to wit:
 _____ in sufficient quantity to indicate an intent to distribute
 the same.

CR 5-602
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS MFG/DIST - OTHER****

...did unlawfully [manufacture/distribute to ____ (name)] a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of schedule ____, to wit: ____.

**DO NOT USE FOR NARCOTICS (I.E., CRACK, COCAINE), LSD
 OR PCP.**

**Unlawful Mfgr. Etc.; Counterfeiting, Etc. Possession, Etc
 Certain Equipment, Etc**

CR 5-602
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS POSS W/INT TO DIST****

...did unlawfully possess a [controlled dangerous
 substance/controlled dangerous substance analogue] of
 schedule ____, to wit: ____ in sufficient quantity to indicate an
 intent to distribute the same.

CR 5-602(1)
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS MANUF/DIST-NARC****

...did unlawfully [manufacture/distribute to ____] a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: ____, a [narcotic drug/narcotic drug analogue].

NOTE: USE THIS CODE FOR NARCOTICS (I.E., CRACK, COCAINE). DO NOT USE FOR OTHER CDS, LSD, OR PCP.

CR 5-602(2)
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS: P W/I DIST: NARC****

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule ____, to wit: ____, a [narcotic drug/narcotic drug analogue], in sufficient quantity to indicate an intention to distribute same.

CR 5-603
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****NARC: PRODUCTION EQUIP****

...did unlawfully [manufacture and possess/ distribute to _____]
 a _____ (describe equipment) adopted for the production of a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit: _____, a
 [narcotic drug/narcotic drug analogue], under circumstances
 reasonably indicating an intention to use same to produce and
 distribute the said drug.

CR 5-603
 PENALTY SECTION 5-609
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: PROD EQUIP: PCP/LSD****

...did unlawfully [manufacture/ distribute/possess _____
 (describe equipment)] adopted for the production of a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit: _____ under
 circumstances reasonably indicating an intention to produce the
 same.

CR 5-603
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING



****CDS: PRODUCTION EQUIPMENT****

...did unlawfully manufacture, distribute, and possess _____
 (describe equipment) adopted for the production of a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit: _____, under
 circumstances reasonably indicating an intention to use same to
 produce such [controlled dangerous substance/controlled
 dangerous substance analogue].

CR 5-604
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS/COUNTRFT CREATE/DISTR****

...did [create/distribute to _____(name)] a counterfeit controlled
 dangerous substance of schedule _____, to wit: _____.

CR 5-604
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS/COUNTRFT POS W/INT DIS****

...did possess with intent to distribute a counterfeit controlled
 dangerous substance of schedule _____, to wit: _____.

CR 5-604
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS/COUNTERFEIT: EQUIPMENT****

...did manufacture, distribute or possess _____ (describe equipment) for the purpose of rendering [a drug/a counterfeit controlled dangerous substance].

NOTE: All three of the above charges deal with counterfeit controlled dangerous substances, as defined in CR5-604. These are substances that have been made to look like a substance that is legally sold, or to resemble some other manufacturer's product. These sections should not be used to charge a violation dealing with a non-controlled substance which has been made to look like an illegal controlled dangerous substance. That charge is found in CR 5-604. See the definitions contained in CR 5-604 if you have questions.

CR 5-604(b)(1)
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: DIST CNTRFT NARC****

...did [create/distribute to ____ (name)] a counterfeit controlled dangerous substance of Schedule ____, to wit: ____, a counterfeit of a narcotic drug.

CR 5-604(b)(2)
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING



****NARC/COUNTERFIT POS W/I DIS****

...did possess with intent to distribute a counterfeit controlled dangerous substance of Schedule [I/II] ____, to wit: ____, a counterfeit of a narcotic drug.

CR 5-604(c)
 FELONY
 \$25,000.00 - 20 YEARS
 PRELIMINARY HEARING



****NARC/COUNTERFIT EQUIPMENT****

...did [manufacture/distribute/possess] ____ (describe equipment) for the purpose of rendering [a drug/a counterfeit of a narcotic drug], a controlled dangerous substance of Schedule ____, to wit: ____.

CR 5-605
 PENALTY SECTION 5-607
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING



****COMM NUIS/DISTRIB CDS****

...did keep and maintain a common nuisance, to wit: ____ (describe, see note above) for the illegal manufacture, distribution, dispensing, storage, and concealment of a [controlled dangerous substance/controlled dangerous substance analogue] and controlled paraphernalia.

CR 5-605
 PENALTY SECTION 5-608
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: COM NUIS: DIST. PCP/LSD****

...did keep and maintain a common nuisance, to wit: _____
 (describe, see note above) for the illegal manufacturing,
 distribution, dispensing, storage, and concealment of a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit: _____.

CR 5-605
 PENALTY SECTION 5-608
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: COM NUIS: ADMIN PCP/LSD****

...did keep and maintain a common nuisance, to wit: _____
 (describe, see note below) resorted to by drug abusers for
 purposes of illegally administering a [controlled dangerous
 substance/controlled dangerous substance analogue] of
 Schedule _____, to wit: _____.

NOTE: A common nuisance can be any building, structure,
 vessel, vehicle, airplane, or any place controlled by the
 defendant. Give an address if a building, or describe the
 vehicle, vessel, etc., and its location at the time and date
 charged.

CR 5-605
 PENALTY SECTION 5-607
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING



****COMM NUIS/ADMINISTER CDS****

...did keep and maintain a common nuisance, to wit: _____
 (describe, see note) resorted to by drug abusers for purposes of
 illegally administering [controlled dangerous
 substance/controlled dangerous substance analogue].

NOTE: A common nuisance can be any building, structure,
 vessel, vehicle, airplane, or any place whatsoever controlled by
 the defendant. Give an address if a building, or describe the
 vehicle, vessel, etc., and its location at the time and date
 charged.

CR 5-605(a)(1)
 PENALTY SECTION 5-608
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: COM NUIS: ADMIN NARC****

...did keep and maintain a common nuisance, to wit: _____
 (describe, see note below), resorted to by drug abusers for
 purposes of illegally administering a [narcotic controlled
 dangerous substance/narcotic controlled dangerous substance
 analogue] of Schedule _____, to wit: _____.

NOTE: A common nuisance can be a building, structure,
 vessel, vehicle, airplane, or any place whatsoever controlled by
 defendant. Give an address if a building, or describe the
 vehicle, vessel, etc., and its location at the time and date
 charged.

CR 5-605(a)(2)
 PENALTY SECTION 5-608
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****CDS: COM NUIS: DIST. NARC****

...did keep and maintain a common nuisance, to wit: _____
 (describe, see note above), for the illegal manufacturing,
 distribution, dispensing, storage, and concealment of a [narcotic
 controlled dangerous substance/narcotic controlled dangerous
 substance analogue] of Schedule _____, to wit: _____.

CR 5-612
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****NARC - MANUF/DIST LG AMT****

...did unlawfully [manufacture/distribute to
 _____(name)] a [controlled dangerous
 substance/controlled dangerous substance analogue] of
 Schedule _____, to wit: _____, a [narcotic
 drug/narcotic drug analogue], in the amount of _____.

**Unlawful Mfgr. Etc.; Counterfeiting, Etc. Possession, Etc
Certain Equipment, Etc**

CR 5-612
FELONY
\$100,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****NARC POSS W/INTENT- LG AMT****

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____, a [narcotic drug/narcotic drug analogue], in sufficient quantity, to wit: _____ (see note) to indicate an intent to distribute same.

NOTE: CR 5-612 mandates a mandatory minimum sentence of 5 years for those defendants convicted of manufacturing, distributing, dispensing or possessing with the intent to do those things, any one of which is a violation of CR 5-602.

The mandatory penalty is the same as for a violation of CR 5-602 involving the particular CDS charged and must involve large quantities of controlled dangerous substance. For Example: if the CDS involved was PCP or cocaine, the maximum penalty would be \$100,000 - 20 years with a minimum penalty of 5 years. If marihuana was the CDS, both maximum and minimum penalty would be 5 years.

See note regarding specific amounts required to constitute violation under this section.

CR 5-612
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS MAN/DIS PCP/LSD LG AMT****

...did unlawfully [manufacture / distribute to _____] a
 [controlled dangerous substance/controlled dangerous
 substance analogue] of Schedule _____, to wit:
 _____ (choose from list), in the amount of
 _____. (see note)

PCP/LSD-Unlawful Mfgr, etc., Distribution, Equipment

CR 5-612
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****POSS PCP/LSD W/INT- LG AMT****

...did unlawfully possess a [controlled dangerous
 substance/controlled dangerous substance analogue] of
 Schedule _____, to wit: _____ (choose from list),
 in sufficient quantity, to wit: _____ (see note) to indicate
 an intent to distribute same.

NOTE: CR 5-612 mandates a mandatory minimum sentence of
 5 years for those defendants convicted of manufacturing,
 distributing, dispensing or possessing with the intent to do those
 things, any one of which is a violation of CR 5-612.

The mandatory penalty is the same as for a violation of CR 5-
 612 involving the particular CDS charged and must involve
 large quantities of controlled dangerous substance. For
 Example: if the CDS involved was PCP or cocaine, the
 maximum penalty would be \$100,000 - 20 years with a
 minimum penalty of 5 years. If marihuana was the CDS, both
 maximum and minimum penalty would be 5 years.

PCP/LSD-Unlawful Mfgr, etc., Distribution, Equipment

CR 5-612
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION

****CDS POSS W/INTENT - LG AMT****

...did unlawfully possess a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____ in sufficient quantity, to wit: _____ (see note) to indicate an intent to distribute same.

NOTE: CR 5-612 mandates a mandatory minimum sentence of 5 years for those defendants convicted of manufacturing, distributing, dispensing or possessing with the intent to do those things, any one of which is a violation of CR 5-602.

The mandatory penalty is the same as for a violation of CR 5-612 involving the particular CDS charged and must involve large quantities of controlled dangerous substance. For Example: if the CDS involved was PCP or cocaine, the maximum penalty would be \$100,000 - 20 years with a minimum penalty of 5 years. If marihuana was the CDS, both maximum and minimum penalty would be 5 years.

NOTE: As to all subsections of CR 5-612, subsequent convictions may carry a minimum mandatory jail sentence, as follows:

NOTE: MINIMUM SENTENCE 10 YEARS - & UP TO \$100,000.00 FINE

If person previously has been convicted:

1. Under Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606; 2. Of conspiracy to violate Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606; 3. Of an offense under the laws of another state, the District of Columbia, or the United States that would be a violation of Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606, if committed in this state.

NOTE: MINIMUM SENTENCE 25 YEARS - & UP TO \$100,000.00 FINE

If person previously

A. Has served at least 1 term of confinement of at least 180 days in a correctional institution as a result of a conviction of a previous violation of Art. 27, Sec. 286 or Sec. 286A or CR 5-602 through 5-606 or 5-614, AND

B. Has been convicted twice, where the convictions do not arise from a single incident:

1. Under Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606 ; 2. Of conspiracy to violate Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606; 3. Of an offense under the laws of another state, the District of Columbia, or the United States that would be a violation of Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606, if committed in this state.

NOTE: MINIMUM SENTENCE 40 YEARS - & UP TO \$100,000.00 FINE

If person previously has served three (3) separate terms of confinement as a result of three (3) separate convictions:

1. Under Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606; 2. Of conspiracy to violate Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606; 3. Of an offense under the laws of another state, the District of Columbia, or the United States that would be a violation of Art. 27, Sec. 286(b)(1) or (b)(2) or CR 5-602 through 5-606, if committed in this state. OR 4. Of any combination of these offenses.

NOTE: CR 5-612 mandates a mandatory minimum sentence of 5 YEARS for those defendants convicted of manufacturing, distributing, dispensing, or possessing with the intent to do those things, any one of which is a violation of CR 5-612. The mandatory penalty is conditioned on a violation of CR 5-612 and must involve large quantities of controlled dangerous substance.

The amount involved, calculated as the aggregate amount involved in the act within a 90 day period, must equal or exceed the amount set out in CR 5-612, otherwise, the amount need not be set out and the minimum mandatory penalty is not applicable.

These are the same quantities referred to in CR 5-612:

1. 50 pounds or more of marijuana; or
2. 448 grams or more of cocaine or 448 grams or more of any mixture containing a detectable amount of cocaine; or
3. 50 grams or more of cocaine base, commonly known as “crack”; or
4. 228 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium or any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium; or
5. 1000 dosage units of lysergic acid diethylamide or any mixture containing the equivalent of 1000 dosage units of lysergic acid diethylamide; or

6. 16 ounces or more of phencyclidine or any mixture containing 448 grams or more of phencyclidine; or
7. 448 grams or more of methamphetamine or any mixture containing 448 grams or more of methamphetamine; or
8. Any mixture containing the equivalent of 1000 dosage units of lysergic acid diethylamide; or
9. 16 ounces or more of phencyclidine in liquid form; or
10. 448 grams or more of any mixture containing phencyclidine; or
11. 448 grams or more of methamphetamine; or
12. Any mixture containing 448 grams or more of methamphetamine.

CR 5-612
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****CDS MANUF/DIST - LG AMT****

...did unlawfully [manufacture / distribute to _____] a
 [controlled dangerous substance/controlled dangerous
 substance/analogue] of Schedule _____, to wit:
 _____, in the amount of _____. (see note)

Controlled Dangerous Substance Drug Kingpin

CR 5-613
FELONY
\$1,000,000.00 20-40 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION

****CDS-DRUG KINGPIN****

...was then and there a drug kingpin and did occupy a position of organizer, supervisor, financier, and manager in a conspiracy with ____ (name), to manufacture, distribute, bring into the State, and transport in the State a controlled dangerous substance of Schedule ____, to wit: ____, in the amount of ____ (see note).

NOTE: The type of CDS and the amount must equal one or more of the types and amounts set out in CR 5-613. The amount may be calculated on the basis of the aggregate amount of CDS involved in the conspiracy within a 90 day period.

NOTE: A District Court Commissioner may not authorize the pre-trial release of a defendant charged as a drug kingpin under this section.

Controlled Dangerous Substance Bring Into State

CR 5-614
 FELONY
 \$50,000.00 - 25 YEARS
 PRELIMINARY HEARING

****CDS: IMPORT INTO STATE****

...did unlawfully bring into this State (choose one):

[at least 45 kilograms of marijuana, a controlled dangerous substance of Schedule I./ at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of cocaine, a controlled dangerous substance of Schedule II./ at least 4 grams of [morphine/opium], a controlled dangerous substance of Schedule I./ at least 4 grams of a [derivative/salt/isomer/salt of an isomer] of [morphine/ opium] a controlled dangerous substance of Schedule I./ at least 1000 dosage units of Lysergic Acid Diethylamide, a controlled dangerous substance of Schedule I./ a mixture containing the equivalent of at least 1000 dosage units of lysergic acid diethylamide, a controlled dangerous substance of Schedule I./at least 28 grams of phencyclidine, a controlled dangerous substance of Schedule II./ at least 112 grams of a mixture containing phencyclidine, a controlled dangerous substance of Schedule II./at least 1000 dosage units of methaqualone, a controlled dangerous substance of Schedule I./ at least 28 grams of methamphetamine,a controlled dangerous substance of Schedule II./ a mixture containing at least 28 grams of methamphetamine, a controlled dangerous substance of Schedule II./ at least 4 grams of [fentanyl /fentanyl analogle] a controlled dangerous substance of Schedule II.]

CR 5-614(b)
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING

****CDS: IMPORT 5 - 45 KILO MARI****

...did unlawfully bring into this state at least five kilograms, and less than 45 kilograms of marijuana.

CR 5-617
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY
 HEARING



****CDS: COUNTERFIT EQUIP: PCP/LSD****

...did unlawfully manufacture, distribute, and possess _____
 (describe equipment) for the purpose of rendering a controlled
 dangerous substance of Schedule _____, to wit: _____, a
 counterfeit controlled dangerous substance of _____, of
 Schedule _____.

CR 5-617
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY
 HEARING



****CDS: PW/I DIST CONTRFT PCP/LSD****

...did possess with intent to distribute a counterfeit controlled
 dangerous substance of Schedule _____, to wit: _____, a
 counterfeit of _____, of Schedule _____.

CR 5-617
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CDS: DIST CONTRFIT PCP/LSD****

...did [create/distribute to _____] a counterfeit controlled
 dangerous substance of Schedule _____, to wit: _____, a
 counterfeit of _____ of Schedule _____.

Noncontrolled Substances Distribution

CR 5-617(a)(1)
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING

****FAKE CDS: POSS W/I DIST****

...did [distribute to ____/ attempt to distribute to ____/
 possess with the intent to distribute] a non-controlled substance
 [intended for use and distribution as a controlled dangerous
 substance of Schedule ____, to wit: ____/under circumstances
 where one reasonably should know that the said substance
 would be used and distributed for use as a controlled dangerous
 substance of Schedule ____, to wit: ____].

CR 5-617(a)(1)
 FELONY
 \$15,000.00 - 5 YEARS
 PRELIMINARY HEARING

****FAKE CDS DIST****

...did [distribute to ____/attempt to distribute to ____/
 possess with the intent to distribute] a non-controlled substance upon
 the representation that the said substance was a controlled
 dangerous substance of Schedule ____, to wit: ____.



CR 5-618
MISDEMEANOR
\$500.00 - 1 YEAR

****CDS POS/PUR NONCONT SUBST****

...did [possess/purchase] a noncontrolled substance reasonably believed to be a controlled dangerous substance.

NOTE: "Elements"

Noncontrolled substance packaged in a manner normally used for illegal distribution of controlled dangerous substance.

Noncontrolled substance purchased and amount of consideration was substantially greater than the reasonable value of the non controlled substance.

Physical appearance or noncontrolled substance substantially identical to that of a controlled dangerous substance.

Controlled Dangerous Substance Paraphernalia/Use or Possession W/Intent to Use - Deliver/Sell, Etc. - Delivery to Minor -Advertise

CR 5-619(c)(1)
MISDEMEANOR
\$500.00
SUB. OFFENSE
\$2,000.00 - 2 YEARS



****CDS: POSS PARAPHERNALIA****

...did [use/possess with intent to use] drug paraphernalia, to wit: _____ (describe paraphernalia), used to [plant/propagate/cultivate/grow/harvest/manufacture/compound/convert/produce/process/prepare/test/analyze/pack/r epack/store/contain/conceal/inject/ingest/inhale/ introduce into the human body by _____ (describe method)] a controlled dangerous substance of Schedule _____, to wit: _____.

CR 5-619(d)(1)
 MISDEMEANOR
 \$500.00
 SUB. OFFENSE
 \$2,000.00 - 2 YEARS



****CDS: DIST PARAPHERNALIA****

...did [deliver and sell to ____/ possess with the intent to deliver and sell/manufacture with the intent to deliver and sell] drug paraphernalia, to wit: ____ (describe paraphernalia) [knowing/under circumstances where one reasonably should know] that the said paraphernalia would be used to [plant/propagate/cultivate/grow/harvest/manufacture/compound/convert/produce/process/prepare/test/analyze/pack/repack/store/contain/conceal/inject/ ingest/inhale/introduce into the human body by ____ (describe method)] a controlled dangerous substance of Schedule ____, to wit: ____.

CR 5-619(d)(4)
 MISDEMEANOR
 \$15,000.00 - 8 YEARS



****CDS PARA-DELIVERY TO MINOR****

...did, being 18 years of age or over, deliver to ____ (name), a person under 18 years of age and at least 3 years his junior, drug paraphernalia to wit: ____ [knowing/under circumstances where one reasonably should know] that it would be used to [plant/propagate/cultivate/grow/harvest/manufacture/compound/convert/produce/process/prepare/test/analyze/pack/r epack/store/contain/conceal/ inject/ingest/inhale/introduce into the human body by ____ (describe)] a controlled dangerous substance of Schedule ____, to wit: ____.

CR 5-619(e)
 MISDEMEANOR
 \$500.00
 SUB. OFFENSE
 \$2,000.00 - 2 YEARS



****CDS PARA-ADVERTISE****

...did unlawfully advertise [by sound truck/in ____ (describe publication)] [knowing/under circumstances where one reasonably should know] that a purpose of the advertisement was to promote the sale and delivery of drug paraphernalia as described in CR 5-619(e).

CR 5-620
 FELONY
 \$25,000.00 - 4 YEARS
 MARIJUANA -
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



****CDS MFG MATERIAL POSS/DIST****

...did [possess/distribute to ____] controlled paraphernalia, to wit: ____ [lactose/quinine/mannite/mannitol/dextrose/sucrose/

procaine hydrochloride/a substance suitable as a diluent or adulterant] in sufficient quantities and under circumstances to reasonably indicate illegal [manufacture/distribution/dispensing] of a controlled dangerous substance.

NOTE: A person who violates this section involving the use or possession of marihuana is subject to \$1,000.00 - 1 YEAR.



CR 5-620(a)(2)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS ADMIN EQUIP POSS/DIST****

...did [possess/distribute to ____] controlled paraphernalia, to wit: ____ [hypodermic syringe/needle/instrument or implement adapted for administration of controlled dangerous substance by hypodermic injection].



CR 5-620(a)(2)
MISDEMEANOR
\$25,000.00 - 4 YEARS

****CDS PACK MATERL POSS/DISTR****

...did [possess/distribute to _____] controlled paraphernalia, to wit: _____ [gelatin capsules/glassine envelopes/any container suitable for packaging individual quantities of controlled dangerous substance] in sufficient quantity to and under circumstances which reasonably indicate an intention to use any such item for the illegal manufacture, distribution, and dispensing of any such controlled dangerous substance.



CR 5-620(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR

****MARIHUANA PACKING POSS/DIS****

...did [possess/distribute to ____] controlled paraphernalia, to wit: ____ [gelatin capsules/glassine envelopes/any container suitable for packaging individual quantities of controlled dangerous substance] in sufficient quantity to and under circumstances which reasonably indicate an intention to use any such item for the illegal manufacture, distribution, and dispensing of any such controlled dangerous substance..



CR 5-621(b)(1)
FELONY
20 YEARS
PRELIMINARY HEARING

****FIREARM/DRUG TRAF CRIME**

...did, during and in relation to a drug trafficking crime, possess a firearm, to wit: _____, under sufficient circumstances to constitute a nexus to the drug trafficking crime.

NOTE: The minimum mandatory penalties of this offense are doubled if certain types of firearms are used in the offense, if a machine gun is used in the offense, or if a firearm silencer or muffler is used on any type firearm in the offense. SEE CR 4-301 or PS 5-101 for the types of firearms that would enhance the penalties.

NOTE: A "drug trafficking crime" is defined in CR 5-621 and includes all felonies or conspiracies to commit a felony under the controlled dangerous substances subtitle (CR 5-621). It does not include misdemeanor drug possession.

**Controlled Dangerous Substance Distribute, Etc.
W/Firearm**

CR 5-621(b)(2)
FELONY
FIRST OFFENSE - 20
YEARS
SUB OFFENSE - 20 YEARS
PRELIMINARY HEARING
THE MINIMUM
SENTENCES ARE
MANDATORY AND
CONSECUTIVE



****CDS: DISTR ETC. W/FIREARM****

...did while engaged in a drug trafficking crime use, wear,
carry, and transport a firearm, to wit: _____.

Possession of Firearms

CR 5-622
FELONY
\$10,000.00 - 5 YEARS
PRELIMINARY HEARING



****CDS-POSS OF FIREARMS****

...did possess, own, carry, and transport a firearm after being
convicted of: [a felony under Title 5/ An offense under the
laws of the United States, another state, or the District of
Columbia that would be a felony under Title 5 if committed in
this state/ Conspiracy or attempt to commit: [a felony under
Title 5/ An offense under the laws of the United States, another
state, or the District of Columbia that would be a felony under
Title 5 if committed in this state]].

NOTE: In this section the term "firearm" includes handgun, antique firearm, rifle, shotgun, shot barrelled shotgun and short barrelled rifle as defined in CR 4-207, a pistol, revolver and antique pistol or revolver as defined in CR 4-201, and a machine gun as defined in CR 4-101, Annotated Code of Maryland.

Proceeds from Offenses

CR 5-623(b)
 FELONY
 FIRST OFFENSE
 \$250,000.00 - 5 YEARS
 OR TWICE VALUE OF
 PROCEEDS WHICHEVER
 IS GREATER
 SUB OFFENSE \$500,000.00 -
 10 YEARS
 OR 5 TIMES VALUE OF
 PROCEEDS WHICHEVER
 IS GREATER
 PRELIMINARY HEARING



****CDS-PROCEEDS FROM OFFENSE****

...did, with the intent to [promote an offense/conceal and disguise the nature, location, source, ownership, and control of proceeds of an offense] involving a controlled dangerous substance of Schedule ____, to wit: ____, did [receive/acquire/engage in/conduct financial transactions involving proceeds], knowing that the proceeds were derived from a controlled dangerous substance offense.

CR 5-623(b)(3)(4)(5)
 FELONY
 \$250,000.00 - 5 YEARS
 PRELIMINARY HEARING



****CDS-PROCEEDS FROM OFFENSE****

...did, with the intent to [promote an offense/conceal and disguise the nature, location, source, ownership and control of proceeds of an offense] involving a controlled dangerous substance of Schedule _____, to wit: _____, did [give/sell/transfer/trace/invest/conceal/transport/maintain] an interest in proceeds and did [direct/promote/plan/organize/initiate/finance/manage/supervise/facilitate] the transportation and transfer of proceeds, knowing that the proceeds were derived from a controlled dangerous substance offense.

NOTE: "Proceeds" means money or any other property with a value greater than \$10,000.00.

NOTE: Each financial transaction is a separate offense.

CR 5-624(b)(1)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR



****CDS ADM W/VIOLENT CRIME****

...did administer a [controlled dangerous substance / other drug] to wit: _____ to _____ (name) without [his/her] knowledge and did commit against _____ (name person) _____ (name crime), a crime of violence as defined under CR 14-101 of the Annotated Code of Maryland.



CR 5-624(b)(2)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR

****CDS ADM W/SEX OFFENSE****

...did administer a [controlled dangerous substance / other drug] to wit: _____ to _____ (name) without [his/her] knowledge and did commit against _____ (name person), a sexual offense in the third degree under CR 3-307 of the Annotated Code of Maryland .

NOTE: A sentence imposed under this section may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation of this section.

NOTE: "Drug" means:

1. Substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and
2. Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals and
3. Substances (other than food) intended to affect the structure or any function of the body of man or other animals and
4. Substances intended for use as a component of any article specified in clauses (1), (2), or (3) of this paragraph; but does NOT include devices or their components, parts, or accessories.



CR 5-627(a)
 FELONY
 \$20,000.00 - 20 YEARS
 SUB OFFENSE \$40,000.00 -
 40 YEARS
 PRELIMINARY HEARING

****CDS DIST: SCHOOL PROP/BUS****

...did [manufacture/distribute to ____/conspire with ____ to
 distribute] a [controlled dangerous substance/controlled
 dangerous substance analogue] of Schedule ____, to wit:
 ____ [on a school bus/on the property/within 1000 feet of the
 property] of ____ (name or identify school).

NOTE: Any elementary or secondary school, public or private,
 will satisfy this section, whether or not in session. Colleges and
 Universities are not covered by this section.

CDS Distribution on or Near School Property

CR 5-627(a)
 FELONY
 \$20,000.00 - 20 YEARS
 SUB OFFENSE \$40,000.00 -
 40 YEARS
 PRELIMINARY HEARING



****CDS: P W/I DIST: SCHL BUS/PROP****

...did possess a [controlled dangerous substance/controlled
 dangerous substance analogue] of Schedule ____, to wit: ____
 in sufficient quantity to indicate an intent to distribute the said
 substance [on a school bus/on the property/ within 1000 feet of
 the property] of ____ (name or identify school).

NOTE: Any elementary or secondary school, public or private,
 will satisfy this section, whether or not in session. Colleges and
 Universities are not covered by this section.

CR 5-628(a)(1)
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****HIRE ETC MINOR: DIST CDS****

...did unlawfully hire, solicit, engage, and use _____, a minor, on behalf of _____ (defendant), for the purpose of manufacturing, distributing, and delivering a [controlled dangerous substance/controlled dangerous substance analogue] of Schedule _____, to wit: _____, in sufficient quantity to reasonably indicate under all the circumstances an intent to distribute the said substance.

CR 5-628(a)(2)
 FELONY
 \$20,000.00 - 20 YEARS
 PRELIMINARY HEARING



****IMPORT MINOR: DRUG FELONY****

...did transport, carry, and bring _____ (name), a minor, into the State of Maryland for the purpose of using said minor in the commission of a felony, to wit: _____.

NOTE: Only CDS felonies under CR 5-602 will qualify to permit a defendant to be charged under this section.

CR 5-701(b)
 MISDEMEANOR
 \$1,000.00 - 2 YEARS



****CDS/PRESC: ILLEGAL MANUFAC****

...did unlawfully [manufacture/distribute] a prescription drug, to wit: _____.

CR 5-701(d)(1)
MISDEMEANOR
\$1,000.00 - 2 YEARS



****CDS PRES ILL POS W/IN DIST****

...did unlawfully possess a prescription drug, to wit: _____, in sufficient quantity to indicate an intent to distribute said drug.

CR 5-701(d)(2)
MISDEMEANOR
\$1,000.00 - 2 YEARS



****CDS PRESCRIP/FALSE LABEL****

...did unlawfully affix a [false/forged] label to a [package/container/other receptacle] containing a prescription drug.

CR 5-701(d)(3)
MISDEMEANOR
\$1,000.00 - 2 YEARS



****CDS PRESCRIP/REMOVE LABEL****

...did unlawfully [omit/remove/alter/obliterate] a [label/symbol] on a prescription drug as required by [Federal/State/local] law.

CR 5-701(d)(4)(i)
MISDEMEANOR
\$1,000.00 - 2 YEARS



****CDS PRESCR OBTAIN BY FRAUD****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by fraud, deceit, misrepresentation and subterfuge, to wit: _____ (describe scheme).



CR 5-701(d)(4)(ii)
MISDEMEANOR
\$1,000.00 - 2 YEARS

****CDS PRESC OBTN ALTER ORDER****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by [forging/altering] a [prescription/written order].



CR 5-701(d)(4)(iii)
MISDEMEANOR
\$1,000.00 - 2 YEARS

****CDS PRESC OBTN CONCEALMENT****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by [concealing a material fact/using a false name and address].



CR 5-701(d)(4)(v)
MISDEMEANOR
\$1,000.00 - 2 YEARS

****CDS PRESC OBTN IMPERSONATN****

...did unlawfully [obtain/attempt to obtain] _____, a prescription drug, by [representing [himself/herself] to be _____(name)/falsely assuming the title of _____(name)] a [manufacturer/distributor/practitioner]



CR 5-701(d)(4)(vi)
MISDEMEANOR
\$1,000.00 - 2 YEARS

****CDS PRESC OBTN MKE FORGERY****

...did unlawfully [obtain/attempt to obtain] ____ a prescription drug, by [making/uttering] a [false/forged] [prescription/written order].



CR 5-702(2)
MISDEMEANOR
\$500.00 - 12 MONTHS

****CDS-SELL SUBSTITUTE DRUG****

...did, being engaged in the business, knowingly sell and deliver to ____ (person) a [drug/medicine/chemical preparation for medicinal use] different from the [prescription drug/controlled dangerous substance/medicine/chemical preparation] [order by the said ____ (name)/required by the said prescription].

NOTE: Applies to pharmacists and any other person or corporation in the business of selling prescription drug, controlled dangerous substance, medicines, chemicals or preparations for medical use.

NOTE: DOES NOT apply to pharmacist supplying generic version of name-brand drug w/physician's permission.



CR 5-703(b)
MISDEMEANOR
\$500.00 - 6 MONTHS

****CDS-UNSOLICIT MAILING****

...did mail ____ [prescription drug/controlled dangerous substance/medicine] by bulk mail, addressed to ["resident"/"occupant"] ____ (name person) who did not request such drugs, etc., to be mailed to [him/her].

Smelling/Inhaling Harmful Substance-Prohibited

CR 5-708(b)(1)(2)
 MISDEMEANOR
 \$500.00 - 6 MONTHS

****CDS-INHALE HARM SUBSTANCE****

...did willfully smell and inhale _____, a [drug, noxious substance/chemical] containing [ketones / aldehydes / butane/ butyl nitrate / nitrous oxide / menthyl benzene / organic acetates / ether / chlorinated hydrocarbons / fluorinated hydrocarbons / solvents releasing toxic vapors] in such quantities as to cause intoxication, inebriation, excitement, stupefaction, and a dulling of the brain or nervous.

Smelling/Inhaling, Etc. Distribution/Possession W/Intent

CR 5-709(b)(1)(2)
 MISDEMEANOR
 \$1,000.00 - 18 MONTHS

****CDS DIST TO INHALE****

...did distribute _____ (name substance), a [drug/noxious substance/chemical] containing (see CR 5-708) to _____, [with the intent to induce the said _____ (name) to unlawfully inhale same/ knowing the said _____ (name), would unlawfully inhale same].

Smelling/Inhaling Harmful Substance-Prohibited

CR 5-709(b)(1)(2)
 MISDEMEANOR
 \$500.00 - 6 MONTHS

****CDS POSS FOR DISTRIBUTION****

...did possess _____, a [drug/noxious substance/chemical] containing _____ (see CR 5-708), with the intent to distribute it for unlawful use.



CR 5-709(c)(1)
MISDEMEANOR
\$1,000.00 - 18 MONTHS

****CDS INSTRUCT INHALING****

...did instruct ____ (name), in the unlawful inhaling of ____,
(drug/noxious substance/chemical, etc.).



CR 5-709(c)(2)
MISDEMEANOR
\$1,000.00 - 18 MONTHS

****DIST BUTANE CAN TO MINOR****

...did distribute a butane canister to, _____ (name), a minor.



CR 5-902(a)(1)
MISDEMEANOR
\$100,000.00 - 2 YEARS

****CDS REGIS. REMOV/ALTR LABL****

...did [omit/remove/alter/obliterate] ____ (symbol) required by
federal law.



CR 5-902(a)(2)
MISDEMEANOR
\$100,000.00 - 2 YEARS

****CDS REGIS. RECORDS FAILURE****

...did [refuse/fail] to make, keep and furnish a [record/
notification/order from/statement/invoice/information] required
by Maryland Law.



CR 5-902(a)(3)
MISDEMEANOR
\$100,000.00 - 2 YEARS

****CDS REGIS REFUS AUTHR INSP****

...did refuse to permit _____ (name), an authorized person, to enter premises required by law to be inspected.



CR 5-902(a)(4)(i)(ii)
MISDEMEANOR
\$100,000.00 - 2 YEARS

****CDS REGIS/NUISANCE LOCATN****

...did, as a [registrant/authorized person], keep and maintain a [store/shop/warehouse/dwelling house/building, etc.], which is [resorted to by drug abusers for the purpose of using controlled dangerous substance/used for the keeping and selling of controlled dangerous substance contrary to law].



CR 5-903(a)
FELONY
\$100,000.00 - 10 YEARS

****CDS USE OF INV REGIS NMBR****

...did use a registration number which is [fictitious/revoked/suspended/issued to another person] in the course of the manufacture and distribution of a controlled dangerous substance of Schedule _____, to wit: _____.

Unlawful Acts - Registrants

CR 5-904(a)
 MISDEMEANOR
 \$100,000.00 - 2 YEARS
 \$50,000.00 - CIVIL FINE

****CDS TO UNAUTHOR REGISTRANT****

...did distribute to _____ another [registrant/unauthorized person], a controlled dangerous substance of Schedule _____, to wit: _____, not authorized by [his/her/its] registration.

CR 5-904(a)
 MISDEMEANOR
 \$100,000.00 - 2 YEARS
 \$50,000.00 - CIVIL FINE

****CDS REGISTRANT UNAUTH MFG****

...did manufacture a controlled dangerous substance of Schedule _____, to wit: _____, which substance was not authorized by registration.

**Distribution by Registrants W/O Order Form, Etc.
Registration Number**

CR 5-904(a)(2)
 FELONY
 \$100,000.00 - 10 YEARS
 PRELIMINARY HEARING

****CDS REGISTRNT DIST NO FORM****

...did, as a registrant, in the course of [his/her/its] legitimate business, distribute to _____ a controlled dangerous substance of Schedule [I/II], to wit: _____, without an order form.

ARSON AND BURNING

NOTE: "Dwelling: means a structure, regardless of whether an individual is actually present, any portion of which has been adapted for overnight accommodation of individuals, including any kitchen, shop, barn, adjoining the structure.

"Maliciously" describes an act done with intent to harm a person or property.

"Occupied structure" means a structure, other than a dwelling in or on which at the time of the offense another individual who is not a participant in the offense is present.

"Structure" means a building, other construction, vehicle, or watercraft, including any barn, stable, garage, pier, wharf, boathouse, and any facility attached to a pier or wharf; any shop, storehouse, warehouse, factory, mill, house of worship, meeting house, courthouse, workhouse, school, tent, public building, or public bridge; and any motor vehicle, aircraft, boat, ship, and railroad car.

"Willfully" describes an act which is done intentionally, knowingly, and purposely.

If a structure is divided into separately owned or leased units, each unit shall be considered a separate structure for purposes of a prosecution under this subheading.

CR 6-102(a)
FELONY
\$50,000.00 - 30 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION
SUB. CONVICTION,
ENHANCED PENALTY



ARSON-FIRST DEGREE

...did wilfully and maliciously set fire to and burn a [dwelling/occupied structure], to wit: _____, (give address or describe structure as in "the dwelling house of _____(name)," or "the occupied barn of _____ (name)," or "the occupied garage of (name).") in violation of CR 6-102(a) of the Annotated Code of Maryland.

NOTE: The dwelling or occupied structure may belong to the accused or another. Any structure that is attached to a dwelling house, such as an attached garage or shed, is a part of the dwelling house. Any structure not attached to a dwelling house must be an "Occupied Structure" (see definition, previous page) to qualify for this section. Any burning or charring of any portion of the dwelling or occupied structure will satisfy the statute.

CR 6-103
FELONY
\$30,000.00 - 20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****ARSON 2ND DEGREE****

...did wilfully and maliciously set fire to and burn a structure, to wit: _____ (give address or otherwise describe structure, as in above section), in violation of CR 6-103 of the Annotated Code of Maryland.

NOTE: The property may belong to the accused, or another.

CR 6-104(b)
FELONY
\$5,000.00 - 5 YEARS
PRELIMINARY HEARING



****MALICIOUS BURNING/1ST DEG****

...did wilfully and maliciously set fire to and burn the personal property of _____ (name), to wit: _____ (brief description of property), the damage to the property being \$1,000.00 or more, in violation of CR 6-104(b) of the Annotated Code of Maryland.

CR 6-105(b)
MISDEMEANOR
\$500.00 - 18 MONTHS



* 1 6 5 0 3 *

****MALICIOUS BURNING/2ND DEG****

...did wilfully and maliciously set fire to and burn the property of _____
(name), to wit: _____ (briefly describe property), the damage to the
property being less than \$1,000.00, in violation of CR 6-105(b) of the
Annotated Code of Maryland.

CR 6-106
MISDEMEANOR
\$5,000.00 - 5 YEARS



* 1 6 5 0 4 *

****MALICIOUS BURN/FRAUD****

...did, with intent to defraud, set fire to and burn property, to wit:
_____ (describe property), in violation of CR 6-106 of Annotated
of Code of Maryland.

CR 6-107
MISDEMEANOR
\$10,000.00 - 10 YEARS



* 1 6 5 0 5 *

****ARSON/THREAT****

...did threaten [verbally/in wwriting] to [set fire to and burn/explode a
destructive device in/on/under] a structure, to wit: ____ [describe
structure] in violation of CR 6-107 of the Annotated Code of
Maryland.

NOTE: A destructive device is defined in CR 4-501.

NOTE: Structure includes occupied and unoccupied for this section.

CR 6-108
MISDEMEANOR
\$500.00 - 30 DAYS



* 2 2 0 0 3 *

****ARSON-TRASH CONTAINERS****

...did wilfully and maliciously set fire to and burn the contents of a
dumpster, trash container, and trash receptacle belonging to another person
in violation of CR 6-108 of the Annotated Code of Maryland.

NOTE: This applies to the contents only, and the trash container must belong to someone other than the defendant. It is not necessary to allege who it did belong to, merely that it did not belong to the defendant.

CR 6-109
MISDEMEANOR
\$500.00 - 30 DAYS



****ATTEMPT TO BURN PROP****

...did [place/distribute] a, flammable, explosive, combustible [material/device] to wit: _____ (name item) in or near (a structure/personal property) to wit: _____ (name item), in preparation to burn the structure or property.

CR 6-202
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****BURGLARY-FIRST DEGREE****

...did break and enter the dwelling house of _____ (owner, lessee, etc.), located at _____, with the intent to commit [theft/ a crime of violence] in violation of CR 6-202 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see Part I.

NOTE: "Theft" includes both misdemeanor and felony theft.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A vehicle such as a motor home or RV, or a tent, is not normally viewed as a "dwelling" within the meaning of this statute. However, if a tent or vehicle is being used as a dwelling it may qualify as such under this subheading.

CR 6-203(a)
FELONY
15 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****BURGLARY/2ND DEGREE/GENERAL****

...did break and enter the storehouse of _____ (owner, lessee, etc), located at _____, with the intent to commit [a theft/ a crime of violence/arson in the second degree] in violation of CR 6-203 of the Annotated Code of Maryland.

NOTE: For a list of crimes of violence, see Part I.

NOTE: "Storehouse" retains its judicially determined meaning and also means any building, other construction, or watercraft, including: any barn, stable, garage, pier, wharf, boathouse and any facility attached to a pier or wharf; any shop, storeroom, warehouse, factory, mill, house of worship, meetinghouse, courthouse, workhouse, school, or public building and any trailer, aircraft, boat, ship, or railroad car.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

CR 6-203(b)
 FELONY
 20 YEARS
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****BURGLARY/2ND DEGREE/FIREARM****

...did break and enter the storehouse of _____ (owner, lessee), with the intent to steal, take and carry away a firearm, to wit: _____, in violation of CR 6-203(b) of the Annotated Code of Maryland.

NOTE: "Firearm" retains its statutorily provided definitions of:

1. Handgun, antique firearm, rifle, shotgun, short-barreled shotgun, and short-barreled rifle, and those terms are defined in CR 4-201;
2. Pistol, revolver, and antique pistol or revolver, as those terms as are defined in CR 4-201;
3. Machine gun, as defined in CR 4-401;
4. Any other firearm that has not been modified to render it permanently inoperative.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposed of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

CR 6-204
FELONY
10 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****BURGLARY-THIRD DEGREE****

...did break and enter the dwelling of _____ (owner, lessee, etc.), located at _____ to commit a crime, to wit: _____, in violation of CR 6-204 of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of a violation under CR6-203. Accordingly, if a violation arising out of the same criminal incident is charged under CR 6-203, there is no need to charge specifically under this section unless there is evidence that the defendant had the specific intent to commit two crimes, one of which would qualify under CR 6-203 and the other of which would not.

CR 6-205(A)(b)
MISDEMEANOR
3 YEARS



****BURGLARY-FOURTH DEGREE****

...did break and enter the [dwelling/storehouse] of _____ (owner, lessee, etc), located at _____, in violation of CR 6-205(a)(b) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposes of a prosecution under the subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: The violation created under this section is a lesser included offense of any violation under sections 202, 203 and 204. Accordingly, if a violation arising from the same criminal incident is charged under those sections, there is no need to charge specifically under this section UNLESS criminal tools were used. See Burglary 4th Degree/Tools.

CR 6-205(c)
MISDEMEANOR
3 YEARS



****BURGLARY-4TH DEGREE THEFT****

...was [in/on] the [dwelling/storehouse/yard/garden/other area, to wit: _____] of _____ (owner, lessee, etc) located at _____, with the intent to commit theft in violation of CR 6-205(c) of the Annotated Code of Maryland.

NOTE: If a building or structure is divided into separately owned or leased units, each unit may not be considered a separate dwelling or storehouse for purposed of a prosecution under this subheading, unless it is objectively apparent that each unit constitutes a separate dwelling or storehouse.

NOTE: A person convicted of a violation of CR 7-104 may not also be convicted of violating this part of CR 6-205(c), based on the act or acts establishing the violation of CR 7-104.

CR 6-205(d)
MISDEMEANOR
3 YEARS



****BURGLARY-4TH DEGREE/PERMIT TOOL USE****

...did permit the use of burglar's tools; to wit: _____, in the commission of a burglary.

CR 6-205(d)
MISDEMEANOR
3 YEARS



****BURGLARY-4TH DEGREE/TOOLS****

...did possess burglar's tools, to wit: _____, with the intent to use them in the commission of a burglary.

NOTE: "Burglar's Tools" means a picklock, key, crowbar, prybar, jack, or bit; nitroglycerin, dynamite, gunpowder, or other explosive material; an acetylene torch, electric arc, burning bar, thermal lance, oxygen lance, or similar device capable of burning through metal, concrete, or other solid material; or any other tool, instrument, or device that has been adapted, designed, or used for committing or facilitating the commission of a burglary offense.

CR 6-206(a)
MISDEMEANOR
3 YEARS



****BURG TOOLS-MOT. VEH/POSS****

...did possess burglar's tools, to wit: _____ with the intent to use the same in the commission of a crime involving the breaking and entering of a motor vehicle.

CR 6-206(b)
MISDEMEANOR
3 YEARS



****ROGUE AND VAGABOND****

...was [in/on] the motor vehicle of _____ (owner, lessee, etc.),
with the intent to commit theft of the vehicle or property within
the vehicle.

CR 6-207
FELONY
20 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****BURGLARY WITH EXPLOSIVES****

...did commit burglary in the [first/second/third] degree at
_____ (location) and did [open/attempt to open] a vault, safe, or
secure repository by the use of a destructive device, as defined
in Section 4-501 of this article, in violation of CR 6-207 of the
Annotated Code of Maryland.

NOTE: Since an explosive is a burglar's tool, a separate charge
of "Burglary 4th Degree/Poss. Tools (2-3050) should normally
accompany this section.

NOTE: A sentence for violation of this section may be imposed
separate from and consecutive to or concurrent with a sentence
for any other offense arising from the same criminal incident.

NOTE: Section 4-501 defines "Destructive Device" as explosive, incendiary, or toxic material that has been combined with a delivery or detonating apparatus so as to be capable of inflicting injury to persons or damage to property. "Destructive Devices" include devices which are primarily designed and manufactured for military purposes as instrumentalities of destruction, including any bomb, grenade, mine, shell, missile, flame-thrower, or poison gas; and any explosive, incendiary, or toxic material which has been deliberately modified, containerized or otherwise equipped with any sort of special delivery, activation or detonation component so as to give it the destructive characteristics of a military ordnance, including a molotov cocktail, pipe bomb, or petroleum soaked ammonium nitrate.

CR 6-208
FELONY
\$5,000.00 - 5 YEARS
PRELIMINARY HEARING



****B & E RESEARCH FACILITY****

...did break and enter into _____, a research facility, without the permission of said research facility, to [obtain unauthorized control over/alter or eradicate/ damage or deface/move research property in a manner intended to cause harm to/ destroy or remove/and engage in conduct that results in the removal of] research property, to wit: _____, in violation of CR 6-208 of the Annotated Code of Maryland.

NOTE: "Research Facility" means any enclosure or separately secure yard, pad, pond, laboratory, pasture, or pen, the purpose of which is to conduct research, house research subjects, or store supplies, records, data, prototypes, or equipment necessary to or derived from research.

NOTE: "Research Property" means any property related to research in a research facility, regardless of value, including any sample, specimen, research subject, record, data, test result, or proprietary information.

CR 6-301
MISDEMEANOR
\$500.00 - 60 DAYS



****MAL DESTR PROP/ VALUE - \$500****

...did willfully and maliciously
[destroy/injure/deface/molest]_____ (describe), the
[real/personal] property of _____ (owner/lessee, etc.), the
amount of damage having a value of less than \$500.00.

DESTROYING, INJURING, ETC., PROPERTY MALICIOUSLY

Property of Another

CR 6-301
MISDEMEANOR
\$2,500.00 - 3 YEARS



****MAL DESTR PROP VALUE + \$500****

...did willfully and maliciously [destroy/injure/deface/molest]
_____ (describe), the [real/personal] property of _____
(owner/lessee, etc.), the amount of damage having a value of
\$500.00 or more.

CR 6-301(e)
MISDEMEANOR
\$2,500.00 - 3 YEARS



****MAL DES-SCHEME/VALU + \$500**

...did, pursuant to one scheme and continuing course of
conduct, wilfully and maliciously destroy, injure, deface and
molest _____ (list all property damaged), the property
of (list all owners or lessees), the owners and lessees of the
same, having an aggregate value of over \$500.00.

NOTE: The State may use this charge to combine the value of
all damaged property to achieve an aggregate value of over
\$500.

NOTE: CR 6-301 specifically provides that malicious destruction can be committed by commission of an "act of graffiti." An act of "Graffiti" means a violation of this section by permanent drawing, permanent painting or making of any permanent mark or inscription on the real or personal property of another without their permission.

In addition to the penalties provided, a person who violates this section shall be ordered to pay restitution or perform community service or both.

Throwing Missiles - Occupied Vehicle of Instrumentality of Public Transportation

CR 6-302
MISDEMEANOR
\$500.00 - 1 YEAR



****MAL DEST MISSILES AT VEH.****

...did unlawfully and wilfully throw, shoot, and propel a _____
(describe object, see note) at or into a vehicle to wit: _____
(describe) occupied by _____ (see note).

NOTE: Item thrown or propelled may be a rock, stone, brick, a piece of iron steel, or other like metal; or any dangerous or deadly missile.

NOTE: The Acts of 1997 strike the term "fire bomb" from this section. A fire bombing as previously proscribed under this section is punishable under CR 4-501(b).

To qualify under this section, the vehicle can be any vehicle or instrumentality of transportation.

To qualify under this section, the vehicle must be occupied by one or more persons. If one, state name. If more than one, state all names if known, or the name of driver, owner, or complainant followed by the words "and _____ other persons.

**Electric Companies -Unauthorized Connections, Etc.;
Tampering, Etc.**

CR 6-303(1)(2)
MISDEMEANOR
\$500.00 - 6 MONTHS



****ELEC CO TAMPER W/CONDUCTOR****

...did wilfully [connect/disconnect] an electrical conductor belonging to _____, an electric company, for the purpose of [using/ wasting] the electric current.

CR 6-303(1)(3)
MISDEMEANOR
\$500.00 - 6 MONTHS



****ELECTR CO: TAMPER W/METER****

...did wilfully tamper with a meter used to register electric current consumed, belonging to _____, an electric company.

CR 6-303(1)(3)
MISDEMEANOR
\$500.00 - 6 MONTHS



****ELEC CO TAMPER W/CO EQUIP****

...did wilfully interfere with the operation of a [dynamo/other such electrical appliance _____(specify)] of _____, an electric company.

CR 6-303(1)(3)
 MISDEMEANOR
 \$500.00 - 6 MONTHS



****ELEC CO TMPR W/POLES LINES****

...did wilfully tamper with and interfere with the
 [materials/equipment] of _____, an electric company.

NOTE: Section does not apply to employees, authorized agents,
 etc. of electric company.

Gas Companies - Tapping or Tampering, Etc., Pipes, Etc.

CR 6-304(2)(c)
 MISDEMEANOR
 \$250.00 - 6 MONTHS



****GAS CO TMPR W/LINE DEFRAUD****

...did, with intent to injure and defraud ____ (gas company),
 [connect/cause to be connected] to a main service pipe, other
 pipe, tube and ____ (other instrument) for conducting and
 supplying gas to a burner without passing through the meter
 provided for measuring and registering the quantity of gas
 consumed.

CR 6-304(2)(i)(ii)
 MISDEMEANOR
 \$250.00 - 6 MONTHS



****GAS CO MKE BYPAS PIPE DEFR****

...did, with intent to injure and defraud ____ (gas company),
 [make/cause to be made] a [pipe/ tube/ ____ (other instrument)]
 for conducting and supplying gas to a burner without passing
 through the meter for measuring and registering the quantity of
 gas consumed.



CR 6-304(a)
MISDEMEANOR
\$250.00 - 6 MONTHS

****GAS CO TAMPER W/EQP: DAMAGE****

...did wrongfully and maliciously
[damage/connect/disconnect/tap/interfere with /tamper with]
mains, pipes, connections, valves, holding machinery,
manufacturing apparatus, appliances and appurtenances
belonging to ____ (name of company), a company using and
engaged in the [manufacture/ supply] of gas for light, heat and
power.

Water Company Meters and Equipment

CR 6-305(c)(1)
MISDEMEANOR
\$500.00 - 6 MONTHS



****WTR SUP PROP/EQUIP: TAMPER****

...did wrongfully and maliciously
[connect/disconnect/tap/interfere with/tamper with]
a[canal/spring/reservoir/tunnel/mound/
dam/plug/main/pipe/conduit/
connection/tap/valve/engine/machine] belonging to ____ (name
company), using and engaging in the supplying of water for
[domestic/agricultural/manufacturing] purposes.

CR 6-305(c)(1)
MISDEMEANOR
\$500.00 - 6 MONTHS



****WATER SUP CONNECT UNLAWFUL****

...did make a connection with a
[canal/spring/reservoir/mound/dam/plug/
main/pipe/conduit/connection/tap/valve/emgome/machinery]
for the purpose of [wasting/using] water supplied by _____
(company).



CR 6-305(c)(2)
MISDEMEANOR
\$500.00 - 6 MONTHS

****WATER SUPPLY METER: TAMPER****

...did tamper with a meter used by _____ to measure water consumed.

MANUFACTURED ARTICLES

Removing/Defacing Serial Numbers



CR 6-306(a)
MISDEMEANOR
\$500.00 - 18 MONTHS

****MAN SERIAL#: REMOV/OBLIT****

...did remove, deface and obliterate the manufacturer's serial number [punched/affixed by plate] to _____ (article or product), with the intent of preventing the tracing or identification of said article or product.



CR 6-306(b)
MISDEMEANOR
\$500.00 - 18 MONTHS

****MAN SERIAL# RETAIN ITEM****

...did knowingly [retain in his possession/offer for sale] _____ (article or product), from which the manufacturer's serial number had been removed, defaced and obliterated.

CR 6-307(a)(1)
MISDEMEANOR
\$500.00 - 18 MONTHS



****SELL/POSSES STOLEN MANF NO****

...unlawfully did [sell/possess] stolen [manufactured serial numbers/vehicle identification plates/labels].

CR 6-307(a)(2)
MISDEMEANOR
\$500.00 - 18 MONTHS



****POSS SERIAL #/FRAUD PURPOSES****

...unlawfully did possess [manufactured serial numbers/vehicle identification plates/labels] with the intent for the [serial numbers/ vehicle identification plates/labels] to be [affixed to stolen property/ to be used for fraudulent purposes].

TRESPASS

On Posted Property

CR 6-402
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS-POSTED PROPERTY****

...did trespass and enter upon the property of _____ (owner) said property being posted against trespassers in a conspicuous manner.

NOTE: The previous requirement that the prosecution be brought by the landowner or tenant has been eliminated. The posting requirements are included as part of subsection (a)(1) of CR 6-402.

NOTE: See CR 6-402 regarding definition of "conspicuous".

**Wanton Trespass/Private Land/Vessel, etc., Prohibit
Denial/Accommodations**

CR 6-403
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS: BOAT****

...did board and remain upon the marine vessel of _____
(owner) after having been duly notified not to do so by _____,
the [owner/agent of the owner].

NOTE: Subsection applies to property used as a housing project
and operated by a housing authority or another state public
body, if required notification given by duly authorized agent of
the housing authority or other state public body.

NOTE: Exception is provided for the Mayor and City Council
of Baltimore to enact legislation respecting public
accommodations.

CR 6-403
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS: PRIVATE PROPERTY****

...did enter upon, remain upon, and cross over the land, private
property, and premises of _____ (owner) after having been duly
notified not to do so by _____, the [owner/agent of the owner].

Operation Off-Road Vehicle On Public/Private Property

CR 6-404(b)
MISDEMEANOR
\$500.00 - 90 DAYS



****OFF-ROAD VEHICLE ON PROPERTY****

...did unlawfully operate and use an off-road vehicle upon the private property of _____ (name) (see note), located at _____ (address), without having the written consent of the owner and tenant of the property.

NOTE: Name in blank refers to private owner, lessee, etc.

CR 6-405
MISDEMEANOR
\$500.00 - 90 DAYS



****OFF-ROAD VEH/GOV PROPERTY****

...did unlawfully operate and use an off-road vehicle on property knowingly owned and leased by the State of Maryland and any political subdivision.

NOTE: Definition of off road vehicle as in CR 6-401.

CR 6-406
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS-CULTIVATED LAND****

...did, without permission from the [owner/agent of the owner] wantonly enter upon the cultivated land of _____ (name).

NOTE: "Cultivated Land" means land which has been cleared of its natural vegetation and is planted with a crop or orchard.

Entering/Remaining in Stable Area Of Race Track After Notice

CR 6-407
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS-RACE TRACK/STABLE****

...did enter and remain in the stable of _____, a race track, after having been notified by _____, a [track official/security guard/policeman] that [he/she] is not allowed in that area.

Trespass to Look into Window, etc.

CR 6-408
MISDEMEANOR
\$500.00 - 90 DAYS



****TRESPASS-PEEPING TOM****

...did enter upon the land and premises of _____ (owner) for the purpose of invading the privacy of the occupant of said premises by looking into said premises.

NOTE: Facts must show that it would be possible to see in, i.e., it is presumed that one cannot see into a dark room (lights out) in the dark of night.

Refuse Leave Public Building Or Grounds Upon Request

CR 6-409(a)(2)
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****TRESPAS PUB AGENCY AFTER HR****

...did [refuse/fail to leave] _____, a property of the _____, a public agency, during regular closing hours, having no lawful business therein and having been requested to leave by _____(name) an authorized employee.

NOTE: It must show that the acts took place after regular hours and while the property was closed. The facts must clearly demonstrate a lack of lawful business, but lawful business could cover a wide range of business or interests. There must have been an actual notice given. The unlawful activity must be clearly and specifically described.

CR 6-409(b)
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****TRESPASS PUB AGENCY DUR HRS****

...did [refuse/fail to leave] _____, a property of _____, a public agency, during regular business hours upon being requested to do so by an authorized employee and when the defendant had no apparent lawful business to pursue and was acting in a manner disruptive of and disturbing to the conduct of normal business.

NOTE: It must show that the acts took place during regular business hours. The facts must clearly describe "no lawful business", or the acts complained of must clearly specify how the normal business was disrupted and disturbed. Mere entrance into a public building, following a prior notification, does not amount to a criminal trespass under this section.

CR 6-410
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****TRESPASS GOVERNMENT HOUSE****

...did wantonly trespass on the property of Government House.

NOTE: No requirement that the property of Government House be posted against unlawful entry or trespass.

RAILROADS

CR 6-502(b)(1)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING

****RR: INTENT OBSTRUCT ETC.****

...did [break/damage] _____ (railroad) by _____
 (manner) with the intent to obstruct, overthrow and direct from
 the tracks a railroad vehicle, to wit: _____ (describe
 vehicle).

NOTE: "railroad vehicle" includes a car, carriage engine,
 locomotive, or tender.

NOTE: In this section, "railroad includes a switch, frog, rail,
 roadbed, sleeper. Viaduct, bridge, trestle, culvert, embankment,
 structure, or appliance that pertains to or connects with a
 railroad.

Obstructing/Breaking Railroad to Overthrow Railroad Vehicle

CR 6-502(b)(2)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING

****RR: INTENT OBSTRUCT ETC.****

...did [place /caused to be placed] _____ (describe object) on
 _____ (railroad), with the intent to obstruct, overthrow, and
 direct from the tracks of said railroad a railroad vehicle, to wit:
 _____ (describe vehicle).

**Getting on Engine, etc., W/O Authority; Free
Transportation of Convicted Persons**

CR 6-503
MISDEMEANOR
\$25.00 - 1 MONTH



****RR: ON EQUIPT W/O AUTHORITY****

...unlawfully was [on/in] a railroad vehicle.

NOTE: Statute requires that the railroad vehicle be upon a railroad track during the offense. This law does NOT prohibit being on a railroad track. Use trespass laws for that offense if tracks are posted.

Interfering W/Signals / Giving Unauthorized Signals

CR 6-504
MISDEMEANOR
6 MONTHS



****RR: INTERFERE W/SIGNALS****

...did, without authorization, give a train signal to [start a stopped train / stop a moving train].

Shooting/Throwing at Train

CR 6-505(b)
MISDEMEANOR
\$1,000.00 - 5 YEARS



****RR: SHOOT/THROW AT****

...did wilfully and maliciously [shoot at/throw ____ at/cause ____ to fall upon/cause ____ to strike against] a [locomotive/motor/ tender/car] used upon a [railroad/electric railway] using [wood/stone/other matter ____ (describe)/ a thing ____ (describe)].

Unauthorized Buying/Selling of Tickets

CR 6-506(a)(1)
MISDEMEANOR
\$100.00 - 6 MONTHS



****RR: UNAUTH BUY/SELL TCKTS****

...did, without authorization, [buy/sell/engage in the business of buying and selling] [railroad tickets/unused portions of a railroad tickets].

CR 6-506(a)(2)
MISDEMEANOR
\$100.00 - 6 MONTHS



****RR: VENDR/BROKR-ACT W/O AUT****

...did, without authorization, act as a [vendor/broker] of [whole/partial] railroad tickets.

CR 6-506(a)(3)
MISDEMEANOR
\$100.00 - 6 MONTHS



****RR: TCKTS BUY/SELL NO AUTH****

...did, without authorization, solicit for the unlawful buying and selling of railroad tickets [personally/by sign/by advertisement/by other _____(describe)].

CR 6-506(a)(4)
MISDEMEANOR
\$100.00 - 6 MONTHS



****RR: TKTS AID/ABET TO BUY/SL****

...did [aid/abet] in the unlawful buying and selling of railroad tickets.

Note to Commissioners and Police Officers processing charges involving theft of motor fuel dispensed into a vehicle: When processing a theft charge involving this scenario an "F" should be inserted in the CJIS code in order to effect appropriate reporting in the event of a conviction.

CR 7-104
FELONY
DISTRICT COURT
\$25,000.00 - 15 YEARS



****THEFT-SCHEME: \$500 PLUS****

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal _____ (property or services stolen) of _____ (owner) having a value of \$500 or greater in violation of CR 7-101 of the Annotated Code of Maryland.

Theft

CR 7-104
FELONY
DISTRICT COURT
\$25,000.00 - 15 YEARS



****THEFT: \$500 PLUS VALUE****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____ \$500 or greater, in the violation of CR 7-104 of the Annotated Code of Maryland.

CR 7-104
MISDEMEANOR
\$500.00 - 18 MONTHS



****THEFT-SCHEME: LESS \$500****

...did, between the dates of _____ and _____, pursuant to one scheme and continuing course of conduct, steal _____ (property or services stolen) of _____ (owner) having a value of \$500 or less, in violation of CR 7-101 of the Annotated Code of Maryland.

NOTE: A person who has two or more prior convictions under this subtitle and is convicted of theft of property or services with a value of less than \$500 is subject to a maximum penalty of \$5,000.00 or 5 years or both.

NOTE: It is suggested that you charge each misdemeanor offense separately and then charge all of the offense as "one scheme" and "a continuing course of conduct", provided there is not a break in the chain of events. Furthermore, the charge pursuant to "one scheme" and "a continuing course of conduct" is synonymous with an aggregate theft charge.

CR 7-104
MISDEMEANOR
\$500.00 - 18 MONTHS



****THEFT: LESS \$500 VALUE****

...did steal _____ (property or service stolen) of _____ (owner) having a value of _____ less than \$500 , in the violation of CR 7-104 of the Annotated Code of Maryland.

NOTE: An "owner" can be anyone in possession, lawful or otherwise. See the definition of "owner" in CR 7-101(g) if in doubt. If the owner and the victim are two different people and both names are known, it is permissible to add to the charge wording as shown below: ...steal (the property) of _____ (owner) from _____ (victim)....

NOTE: Violations of CR 7-104 through 108 are tried in the district Court, whether a felony or a misdemeanor. A person who obtains property or services by uttering a bad check may be immediately prosecuted under "theft", if the person uttering the check was the drawer and did not have an account with the drawee at the time of utterance.

NOTE: Venue – A person who violates this section by use of an interactive computer service may be prosecuted in any county in which the victim resides or the electronic communication originated or was received.

CR 7-104
 MISDEMEANOR
 \$500.00 - 90 DAYS
 SUB. OFFENSE
 \$5,000.00 - 5 YEARS



****THEFT LESS THAN \$100.00****

...did steal _____ (property or service) of _____
 (owner) having a value of less than \$100.00.

Motor Vehicle Theft

CR 7-105
 FELONY
 DISTRICT COURT
 \$5,000.00 - 5 YEARS
 (SEE NOTE)



****MOTOR VEH/UNLAWFUL TAKING****

...did unlawfully, knowingly, and wilfully take out of _____'s
 (victim's) lawful custody, control, and use, a motor vehicle, to
 wit: _____ (describe), without the consent of said _____
 (victim), in violation of CR 7-105, of the Annotated Code of
 Maryland.

NOTE: "Motor Vehicle" is defined in Transportation Article,
 Sec. 11-135.

NOTE: All theft charges are within the exclusive original
 jurisdiction of the District Court, regardless of whether they are
 misdemeanor or felony, and do not receive a preliminary
 hearing.

Newspaper Theft

CR 7-106
MISDEMEANOR
\$500.00 - 60 DAYS



****NEWSPAPER THEFT****

...did wilfully and knowingly obtain and exert unauthorized control over newspapers, to wit: _____ (name paper and number of copies) with the intent to prevent others from reading the said newspapers.

NOTE: "Newspaper" includes any periodical distributed on a complementary or compensatory basis.

EMBEZZLING PROPERTY AND WRITINGS

Fraudulent Misappropriation By Fiduciary

CR 7-113(1)
MISDEMEANOR
5 YEARS



****EMBEZZLE MISAPPROPRIATE****

...did, being a fiduciary of the [estate/trust] of _____ (name), fraudulently and wilfully appropriate to a use not in the due and lawful execution of his/her trust _____ [money/thing of value] received by him/her in their fiduciary capacity.

CR 7-113(2)
MISDEMEANOR
5 YEARS



****EMBEZZLE-MISAPPROPRIATE****

...did, being a fiduciary of the [estate/trust] of ____ (name),
secrete____, the [money/thing[s] of value] received by him/her
in their fiduciary capacity, with the intent to appropriate same
to a use not in the due and lawful execution of his/her trust.

Fraud - Failure to Deliver Drafts for Stored Merchandise

CR 7-116
MISDEMEANOR
\$5,000.00 - 10 YEARS



****FRAUD/FAIL DELIV RECEIPTS****

...did for [his/her] own benefit and in violation of trust after
having been entrusted with [money/drafts/checks] in the
amount of _____, an advance against stored merchandise, to
wit: _____, [refuse/fail] to deliver the same and the shipment
documents for said merchandise to _____ (victim) as soon as the
shipment was completed.

GROCERY CARTS

Removal from Store Premises, Etc.

CR 7-201(b)(i)
MISDEMEANOR
\$25.00



****GROCERY CARTS-REMOVAL****

...did remove from _____, a [grocery store/store/market],
without the consent of the owner of said [grocery
store/store/market] or his agents, a wheeled cart or similar
device _____ (specify) provided by said owner for the
purpose of carrying materials.

CR 7-201(b)(ii)
MISDEMEANOR
\$25.00



****GROCERY CARTS-DAMAGE****

...did [destroy/mutilate/damage] a wheeled cart or similar device belonging to _____, a [grocery store/store market].

CR 7-201(b)(iii)
MISDEMEANOR
\$25.00



****GROCERY CART-ABANDON****

...did abandon a wheeled cart or similar device belonging to _____, a [store/grocery store/market], upon the [streets/alleys/highways] of Maryland.

NOTE: Applies only when cart is taken from the store or parking lot, except that destruction may be on the premises and the destroyer need not have taken the cart. The cart must be marked with the owner's name and address. Notice of the law must be prominently posted at the public exits.

APPROPRIATING PROPERTY BY BAILEE

CR 7-202
MISDEMEANOR
\$100.00 - 6 MONTHS



****APPROP PROP - W/O CONSENT****

...did wilfully [appropriate and use/permit _____(person) to appropriate and use] _____(name thing), which is the subject matter of a bailment, without the consent of _____(owner), _____(defendant) being [a bailee/an employee, servant, and agent of a bailee].

LARCENY - HORSES, BOATS OR VEHICLES**Unauthorized Use**

CR 7-203
 MISDEMEANOR
 \$100.00 - 4 YEARS

****U/U LIVESTOCK MV ETC****

...did without consent take and carry away a _____ (name item, see note) with the intent to temporarily deprive _____ (name person deprived) of the use and possession of said property.

NOTE: Property subject to this section includes a horse of any sort, a mule, ass, sheep, goat, hog, ox, cow, carriage, wagon, cart, boat, craft, vessel, vehicle of any sort, motor vehicle, or property whatsoever. Person deprived means the owner, lessor, or any person in legal possession.

CR 7-205
 MISDEMEANOR
 \$500.00 - 1 YEAR

****VEHICL/RENTD: FAIL RETURN****

...did, after hiring, leasing, and renting a motor vehicle under agreement to return same at the termination of the period for which the motor vehicle was leased or rented, knowingly and wilfully neglect to return the motor vehicle, to wit: _____ (describe motor vehicle) at the end of the period.

Hires - Rental of Motor Vehicle Abandoning/Refusing to Return

CR 7-205
MISDEMEANOR
\$500.00 - 1 YEAR



****VEHICL/RENTED: ABANDON****

...did abandon a motor vehicle, to wit: _____ after leasing and renting same under an agreement to return said motor vehicle at the termination of the period for which it was leased and rented.

ELECTRONIC THEFT DEVICE

CR 7-301(c)
MISDEMEANOR
\$1000 - 1 YEAR



****ELECTRONIC THEFT DEVICE ****

...did knowingly possess with the intent to commit theft a device _____ (device name) intended to shield merchandise from detection by an electronic security system.

NOTE: Electronic security systems include:

1. an electronic home security system;
2. a motor vehicle security alarm system;
3. an automatic garage door opener;
4. a home detention monitoring device; and
5. an electronic or magnetic theft detection device used in a retail establishment.

CR 7-301(d)
MISDEMEANOR
\$1000 - 1 YEAR



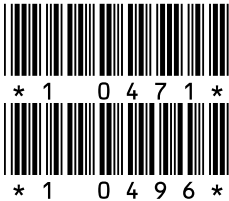
****ELECTRONIC THEFT - TOOL****

...did knowingly possess A [tool/device] designed to allow the [de-activation/removal from merchandise] [an electronic security system/device] used as part of an electronic security system with the intent to [de-activate the security system/remove the device from merchandise] without permission.

COMPUTERS

NOTE: A violation under this section may be prosecuted where the access computer is located or where the defendant performed the act.

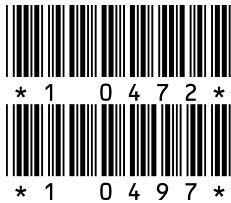
CR 7-302(c) (2)
LOSS LESS THAN
\$10,000.00
(BARCODE 1-0471)
MISDEMEANOR
\$5,000.00 - 5 YEARS
LOSS MORE THAN
\$10,000.00
(BARCODE 1-0496)
FELONY/DISTRICT COURT
\$10,000.00 - 10 YEARS



****COMPUTER/ILL. ACC/ALTER DATA****

...did intentionally, willfully, and without authorization [access/ attempt to access/ cause access to / exceed authorized access to] a [computer/ computer network/computer software/computer control language/ computer system/computer services/computer data base/a part thereof] to [alter/damage/destroy] data and a computer program therein.

CR 7-302(c) (3)
 LOSS LESS THAN \$10,000
 (BARCODE 1-0472)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS
 LOSS MORE THAN
 \$10,000.00
 (BARCODE 1-0497)
 FELONY/DISTRICT COURT
 \$10,000.00 - 10 YEARS



****COMPUTER/PUBLISH ACCESS CODE****

...did intentionally, willfully, and without authorization [possess / identify/ attempt to identify/distribute to ____, an unauthorized person/ publicize to unauthorized persons] a valid access code.

CR 7-302(c)
 MISDEMEANOR
 \$1,000.00 - 3 YEARS

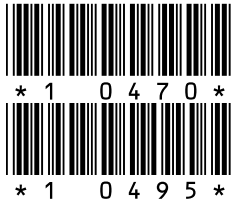


****COMPUTERS ILLEGAL ACCESS****

...did intentionally, willfully, and without authorization [access/ attempt to access/cause access to/exceed authorized access to] [a computer, computer network, computer software, computer control language, computer system, computer services, computer data base, and a part thereof].

Illegal Access

CR 7-302(c)(2)
 LOSS LESS THAN \$10,000
 (BARCODE 1-0470)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS
 LOSS MORE THAN
 \$10,000.00
 (BARCODE 1-0495)
 FELONY
 \$10,000.00 - 10 YEARS
 DISTRICT COURT

****COMPUTER/ILL. ACC/DAMAGE****

...did intentionally, willfully, and without authorization [access/ attempt to access/cause access to / exceed authorized access to] a [computer/ computer network/computer software/computer control language/ computer system/computer services/computer data base/a part thereof] to [cause the malfunction/interrupt the operation] of the said equipment and software.

CR 7-303
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****SAT TV MODIFY EQUIP FOR PAY****

...did for [payment/offer of payment] modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].



CR 7-303
MISDEMEANOR
\$5,000.00 - 5 YEARS

****CABL TV SEL/RNT DEV-FOR PAY****

...did for [payment/offer of payment] [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.



CR 7-303
MISDEMEANOR
\$5,000.00 - 5 YEARS

****FRAUD-CABLE TV-FOR PAY.****

...did for [pay/offer of pay], [destroy/damage/cut/tamper with/install/tap/remove/displace/make a connection] with a [wire/conduit/apparatus/ equipment] of ____ [cable TV company/private cableTV company], with the intent to receive cable TV services without payment.



CR 7-303
MISDEMEANOR
\$5,000.00 - 5 YEARS

****SAT CABLE TV RECV-BY FRAUD-PAY****

...did, for [payment/offer of payment] with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

CR 7-303
 MISDEMEANOR
 \$5,000.00 - 5 YEARS



****CABLE TV RECV SERV-FRAUD-PAY****

...did, for [payment/offer of payment]with the intent to deprive (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] cable television service by [trick/use of a decoder/other fraudulent means to wit: _____].

CR 7-303
 MISDEMEANOR
 \$5,000.00 - 5 YEARS



****CABLE TV CON W/O AUTH-PAY****

...did, for [payment/offer of payment], connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

CR 7-303
 MISDEMEANOR
 \$5,000.00 - 5 YEARS



****CABLE TV PREVNT PROG FOR PAY****

...did for [payment/offer of payment], [prevent/obstruct/delay] the sending, conveyance, distribution and receipt of programming material transmitted by a [franchised cable television company/a private cable television company].

Cable TV-Tampering Etc

CR 7-303(4)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 – 1 YEAR

****CABLE TV CON W/O AUTHORITY****

...did connect with a [cable/wire/component/other device] used for the distribution of cable television service without authority from the cable television company.

CR 7-303(5)(ii)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****SAT. CABLE TV MODIFY EQUIP****

...did modify and alter [a device installed with the authorization of a cable television company/equipment capable of decoding encrypted satellite cable programming] in order to intercept and receive, [a program/service carried by the company/satellite cable programming].

CR 7-303(6)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****CABL TV SEL/RNT DEV/MISUE****

...did [sell/offer for sale/rent/offer for rent] to a person, a [device/plan for a device] with knowledge that the person intends to use the [device/plan] to do an act prohibited by CR 7-303.



CR 7-303(b)(1)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****FRAUD-CABLE TV-TAMPER ETC.****

...did [destroy/damage/cut/tamper
 with/install/tap/remove/displace/make a connection] with a
 [wire/conduit/apparatus/ equipment] of _____ [cable TV
 company/private cableTV company], with the intent to receive
 cable TV services without payment.



CR 7-303(c)(2)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****CABLE TV PREVNT OBST PROG****

...did [prevent/obstruct/delay] the sending, conveyance,
 distribution and receipt of programming material transmitted by
 a [franchised cable television company/a private cable
 television company].



CR 7-303(c)(i)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****CABLE TV RECV SERV BY FRAUD****

...did, with the intent to deprive _____ (name company) of
 lawful compensation for services provided, [receive/attempt to
 receive/assist another to receive] cable television service by
 [trick/use of a decoder/other fraudulent means to wit: _____].



CR 7-303(c)(ii)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR

****SAT CABLE TV RECV BY FRAUD****

...did, with the intent to deprive _____ (name company) of lawful compensation for services provided, [receive/attempt to receive/assist another to receive] satellite cable programming that is [offered for sale in the person's area through an unauthorized marketing system/received by decoding encrypted satellite cable programming].

RECORDED MATERIAL - UNAUTHORIZED COPIES

Transfer Recorded Sound W/O Consent of Owner Of Master Device

CR 7-308(b)
 (PENALTY SEC. CR 7-309)
 MISDEMEANOR
 \$2,500.00 – 1 YEAR
 SUB OFFENSE
 \$10,000.00 - 3 YEARS



****RECORDING: UNAUTHORIZ COPY****

...did knowingly [transfer/cause to be transferred] sounds [recorded/otherwise stored] on a recorded article onto another recorded article with the intent to [sell/cause to be sold] [for profit/to promote the sale of _____ (product)] and without the consent of the owner thereof.

NOTE: The above wording shall only apply to sound recordings initially fixed prior to February 15, 1972.

NOTE: "Owner" refers to copy right owner.

CR 7-308(c)(2)
 (PENALTY SEC. CR 7-309)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR



****RECORD/UNAUTH PERFORMANCE****

...did knowingly [transfer/cause to be transferred] to a recorded article a performance by _____ (artist) with the intent [to [sell/cause to be sold] said recording for profit/ that said recording be used to promote the sale of _____ (product)] without the consent of said performer.

CR 7-308(d)(2)
 (PENALTY SEC. CR 7-309)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR



****RECORDG/UNAUTH SELL, ETC.****

...did knowingly [sell/rent/distribute/circulate/offer for [sale/rental distribution/circulation]/possess for [sale/distribution/circulation]/ cause to be [sold/rented/distributed/circulated]] a recorded article to wit: _____ (name or describe) [on which sounds have been transferred without the consent of the owner/embodying aperformance without the consent of the performer.

NOTE: "Owner" means copyright owner.

CR 7-308(d)(2)(i)(ii)
 (PENALTY SEC. CR 7-309)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR



****RECORDING: SELL, ETC.****

...did knowingly [sell/rent/distribute/circulate/offer for [sale/rental/distribution/circulation]/possess for [sale/rental distribution/circulation]] a recorded article on which [sounds/images] have been [transferred/stored], such recorded article, etc., not having contained the name and address of the transferor and the name of the performer in a prominent place on its outside face or package.

NOTE: This section applies to persons, firms, corporations, associations, partnership.

This section does not apply to:

1. Any radio or TV broadcaster or cable radio or TV operator who transmits in regular business.
2. Any person transferring sound or images for his own use.

CR 7-308(e)
 MISDEMEANOR
 \$2,500.00 - 1 YEAR



****RECORDING/UNAUTHORIZED-MOVIE
 THEATER****

...did knowingly operate an audiovisual recording function of a device in motion picture theater without the consent of the [owner/lessee] of the theater.

NOTE: This section does not apply to the lobby area of a motion picture theater.

TELECOMMUNICATION SERVICES

CR 7-315
 PENALTY SEC. CR 7-316
 MISDEMEANOR
 \$2,500.00 - 3 YEARS

****TELECOM SERVICE - FRAUD****

...did

[possess/use/manufacture/distribute/transfer/sell/offer/promote/
 advertise for sale, use and distribution] an [unlawful
 telecommunication device/access code] for the commission of a
 theft of telecommunication service.

CR 7-315
 PENALTY SEC. 7-3169(a)
 FELONY
 \$10,000.00 - 10 YEARS

****TELECOM SERV - FELONY****

...did

(possess/use/manufacture/distribute/transfer/sell/offer/promote/
 advertise for sale, use and distribution) more than 100
 (unlawful telecommunication devices/access codes) for the
 commission of a theft of telecommunication service.

BAD CHECKS**Obtaining Property/Service by Bad Check**

CR 8-103
 MISDEMEANOR
 \$100.00 - 18 MONTHS

****BD CK/PASS/NSF/UND \$500****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by passing a certain bad check numbered ____, drawn on ____, knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

CR 8-103
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS

****BD CK/PASS/NSF/\$500 & UP****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by passing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

CR 8-103
 PENALTY SEC. 8-106
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****BDCK/30 DY PLOT/STOP PAY****

...did, between _____ (date) and _____ (date, see note), unlawfully and knowingly obtain _____ (property or services) from _____ (name of supplier) of the value of \$_____ (see note), by [uttering/passing] _____ (number of checks, see note) to _____ (name of person or company receiving checks) numbered _____ (check numbers), drawn on _____ (name of bank and account number), knowing that the drawee thereof at the time of [passing/utterance] intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the checks.

NOTE: This section does not apply to any holder of an instrument who gives to the maker a bona fide reasonable notice of dishonor and warning of criminal prosecution under Sec. 8-101 through 8-107 of this Article.

NOTE: Effective October 1, 1995, CR 8-103 allows multiple bad checks passed in a common scheme to be charged as a single crime for the accumulated value of the checks under the following circumstances:

1. There must be more than one bad check.
2. Each of the bad checks must be for less than \$500.00.
3. Each check must be uttered or passed to the same person or company in order to obtain goods or services.
4. The cumulative value of all of the checks must exceed \$500.00.
5. The checks must be passed within a 30-day period.

The facts must indicate that all of these conditions are met to allow a finding of probable cause for this charge.

If multiple bad checks are passed or uttered to the same victim, and one or more exceeds a value of \$500.00, it is suggested that each bad check be charged separately. The State's Attorney may later add a cumulative charge for those checks not exceeding \$500.00 in value in their discretion.

If multiple bad checks are passed or uttered to the same victim over a period of time exceeding 30 days, it is suggested that two or more charges be used, one for the first 30 days, and an additional cumulative charge for each ensuing 30-day period or portion thereof.

NOTE: The sworn application for Statement of Charges (DC/CR 1) is the affidavit under Commercial Law Article 15-802.

CR 8-103
PENALTY SEC. 8-106
FELONY
DISTRICT COURT
\$1,000.00 - 15 YEARS



****BDCK/30 DY PLOT/NSF****

...did, between _____ (date) and _____ (date, see note), unlawfully and knowingly obtain _____ (property or services) from _____ (name of supplier) of the value of \$_____, by [uttering/passing] _____ (number of checks, see note) to _____ (name of person or company receiving checks) numbered _____ (check numbers) drawn on _____ (name of bank and account #) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending an believing at the time of the [passing/utterance] that payment would be refused by the drawee upon presentation.

CR 8-103
 PENALTY SEC. 8-106
 FELONY +\$500
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****BD CK/UTTER/NSF/\$500 & UP****

...did unlawfully and knowingly obtain ____ (property or service obtained) having a value of ____, belonging to ____, (victim) by uttering a certain bad check numbered ____, drawn on ____ (drawee), knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the utterance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

NOTE TO COMMISSIONERS:

In all except employee situations (see below), there are two ways to violate CR 8-103 by uttering a bad check or by passing a bad check. There are also two ways for a check to be bad, insufficient funds (NSF) or a deliberate stop payment order.

The person that wrote a bad check is called the "Drawer." When he or his representative gives that check to another to obtain goods, services, or money, that check has been UTTERED. Choose the appropriate wording under BD CK/UTTER, depending upon the value of the check and whether it was refused by the bank for NSF or because of a stop payment order. The term service may also include the use of computer, data processing or other equipment

CR 8-103
 MISDEMEANOR
 \$100.00 - 18 MONTHS



****BD CK/UTTER/NSF/UND \$500****

...did unlawfully and knowingly obtain ____ (property or service obtained) having a value of ____, belonging to ____, (victim) by uttering a certain bad check numbered ____, drawn on ____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the utterance that payment would be refused by the drawee upon presentation, and payment was refused by the drawee upon presentation.

CR 8-103 (a)
 PENALTY SEC. CR 8-106(d)
 MISDEMEANOR
 \$500.00 - 90 DAYS



****BAD CHECK/PASS/NSF/LESS THAN \$100****

...did unlawfully and knowingly obtain ____ (property or service) having a value of ____, belonging to ____ (owner) by passing a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof has insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the passing that the payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

CR 8-103(c)
 PENALTY SEC. CR 8-106(d)
 MISDEMEANOR
 \$500.00 - 90 DAYS



****BAD CHECK/EMPLOYEE/LESS THAN \$100****

...did unlawfully and knowingly utter a certain check numbered _____, drawn on _____ (drawee) to _____ (name of employee) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of utterance that payment would be refused by the drawee upon presentation.

CR 8-103(a)
 PENALTY SEC. CR 8-106(d)
 MISDEMEANOR
 \$500.00 - 90 DAYS



****BD CHECK/UTTER LESS \$100****

...did unlawfully and knowingly obtain _____ (property or service) having a value of _____, belonging to _____ (owner) by uttering a certain bad check numbered _____, drawn on _____ (drawee) knowing that there were insufficient funds with the drawee to cover it and other outstanding checks, intending and believing at the time of the utterance that payment would be refused by the drawee upon presentation, and the payment was refused by the drawee upon presentation.

CR 8-103(b)
 PENALTY SEC. 8-106
 MISDEMEANOR
 \$100.00 - 18 MONTHS



****BD CK/UTTER/STOP PAY/UND \$500****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by uttering a certain check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof at the time of utterance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
 PENALTY SEC. CR 8-106(d)
 MISDEMEANOR
 \$500.00 - 90 DAYS



****BAD CHECK/STOP PAY/LESS THAN \$100****

...did unlawfully and knowingly obtain ____ (property or service) having a value of ____, belonging to ____ (owner) by uttering a certain bad check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof at the time of utterance intended to stop payment of the check without the consent of the payee and the payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
 PENALTY SEC. 8-106
 MISDEMEANOR
 \$100.00 - 18 MONTHS



****BD CK/PASS/STP PAY/UND \$500 ****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered ____, drawn on ____ (drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
 PENALTY SEC. 8-106
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****BD CK/UTTER/STP PAY/\$500 & UP****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by uttering a certain check numbered ____, drawn on ____ (drawee) knowing that the drawer thereof at the time of utterance intended to stop payment of the checks without the consent of the payee and payment was refused by the drawee upon presentation of the check.

CR 8-103(b)
 PENALTY SEC. 8-106
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****BD CK/PASS/STOP PAY \$500 & UP****

...did unlawfully and knowingly obtain ____ (property or service obtained), having the value of ____, belonging to (victim) by passing a certain check numbered ____, drawn on ____ (drawee) knowing that payment of the check has been stopped and payment was refused by the drawee upon presentation of the check.

CR 8-103(c)
 PENALTY SEC. 8-106
 MISDEMEANOR
 \$100.00 - 18 MONTHS



****BD CK/EMPLOYEE/UND \$500****

...did unlawfully and knowingly utter a certain check numbered ____ drawn on ____ (drawee) to ____ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of utterance that payment will be refused upon presentation, and ____ (employee or independent contractor) passed the check to ____ (third person) and payment was refused by the drawee upon presentation, and ____ (employee or independent contractor) passed the check to ____ (third person) and payment was refused by the drawee upon presentation.

CR 8-103(c)
 PENALTY SEC. 8-106
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****BD CK/EMPLOYEE/\$500 & UP****

...did unlawfully and knowingly utter a certain check numbered _____ drawn on _____ (drawee) to _____ (employee or independent contractor) for services knowing that the drawer thereof has insufficient funds with the drawee to cover the check and other outstanding checks and intending at the time of utterance that payment will be refused upon presentation, and _____ (employee or independent contractor) passed the check to _____ (third person) and payment was refused by the drawee upon presentation.

CREDIT CARD OFFENSES

CR 8-203
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD APLY FOR/FALSE ID****

...did make and cause to be made a false written statement to _____ (company or company representative) with respect to [[his/ her] identity/the identity of another person, to wit: _____] knowing it to be false and with the intent that it be relied upon for the purpose of procuring the issuance of a credit card.

CR 8-204(a)(i)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CARD: STEAL ANOTHER'S****

...did take, steal and carry away a credit card issued to _____, without his consent.

CR 8-204(a)(ii)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CARD/STOLEN: RECEIVE****

...did receive a credit card belonging to _____, knowing it to have been stolen, with the intent to [use it/sell it/ transfer it] to a person other than _____ (issuer/or card holder).

CR 8-204(b)(1)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD LOST RECV/RETAIN****

...did receive and retain possession of a credit card belonging to _____, knowing it to have been [lost/mislaid/delivered under a mistake as to identity or address of cardholder], with intent [that it be used by/sell it to/transfer it to] a person other than _____ (issuer or cardholder).

CR 8-204(c)(1)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD SELL/BUT UNLAWFUL****

...did [sell to/buy from] _____, a credit card issued to _____, knowing that the [seller/purchaser] was not the issuer.

CR 8-204(d)
MISDEMEANOR
\$500.00 - 18 MONTHS



****CRED CRD RECEIV UNLAWFULLY****

...did receive a credit card, to wit: _____ (describe card)
knowing it to have been [stolen/illegally procured/sold by a
person other than the issuer/issued pursuant to a false written
statement/illegally retained].

CR 8-205(b)
FELONY
DISTRICT COURT
\$1,000.00 - 15 YEARS



****CREDIT CARD: COUNTERFEIT****

...did, with intent to defraud _____ (issuer of card), falsely make
and emboss a purported credit card, to wit: _____ (describe
card).

NOTE: See definition of "falsely made," and "falsely emboss"
in Section CR 8-205.

CR 8-205(c)
FELONY
DISTRICT COURT
\$1,000.00 - 15 YEARS



****CRED. CARD SIGN ANOTHER'S****

...did, with intent to defraud _____, sign a credit card issued to
_____, without his consent.

CR 8-206(a)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****CRED CARD ANOTHER CHARG +\$500****

...did, with intent to defraud _____ (issuer of card), use a credit card issued to _____ for the purpose of obtaining money, goods, services, and things of value having a value of over \$500 knowing the said card to have been stolen, illegally purchased, and illegally sold.

CR 8-206(a)
 MISDEMEANOR
 \$500.00 - 90 DAYS



CRED CRD/ANOTHER CHARGE L/T \$100**

...did, with intent to defraud _____ (issuer of card), use a credit card issued to _____ (name) for the purpose of obtaining money, goods, services, and things of value having a value of \$100 or less, knowing the said card to have been stolen, illegally purchased and illegally sold.

CR 8-206(a)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD/ANOT. CHARG L/T \$500****

...did, with intent to defraud _____ (issuer of card), use a credit card issued to _____ for the purpose of obtaining money, goods, services, and things of value having a value of \$500 or less, knowing the said card to have been stolen, illegally purchased, and illegally sold.

CR 8-206(a)(2)
 MISDEMEANOR
 LOSS -\$500
 \$500.00 - 18 MONTHS
 FELONY
 LOSS +\$500
 \$1,000.00 - 15 YEARS
 DISTRICT COURT



****CRED. CARD COUNTERFEIT****

...did, with intent to defraud _____, utter a falsely made and embossed purported credit card to _____, knowing such card to have been falsely made and embossed.

NOTE: See 8-206(c) for appropriate penalty information.

CR 8-206(a)(2)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD FORGE CHARG \$1-\$500****

...did, with intent to defraud _____, use a credit card issued to _____, for the purpose of obtaining money, goods, services, and things of value having a value of \$500 or less, knowing the said card to have been forged.

CR 8-206(a)(2)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****CRED CRD FORGE CHRG + \$500****

...did, with intent to defraud _____, use a credit card issued to _____, for the purpose of obtaining money, goods, services, and things of value having a value of over \$500, knowing the said card to have been forged.

CR 8-206(b)
 MISDEMEANOR
 \$500.00 - 18 MONTHS



****CRED CRD-PERSONATN/L/T \$500****

...did, with intent to defraud _____ obtain money, goods, services, and things of value having a value of \$500 or less by [representing himself to be _____, the specified holder of a credit card, without the said _____ consent/ representing himself to be the holder of a non-issued credit card].

CR 8-206(b)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****CRED CARD PERSONATN + \$500****

...did, with intent to defraud _____ obtain money, goods, services, and things of value having a value of over \$500, by [representing himself to be _____, the specified holder of a credit card, without the said _____ consent/ representing himself to be the holder of a non-issued credit card].



CR 8-207(a)(1)(i)
MISDEMEANOR
\$500.00 - 18 MONTHS

****CRED CRD SELL USER/L/T \$500****

...did, with intent to defraud ____, furnish money, goods, services, and things of value having a value of \$500 or less, to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold].



CR 8-207(a)(1)(i)
FELONY
DISTRICT COURT
\$1,000.00 - 15 YEARS

****CRD CRD SELL UNLWF USE + \$500****

...did, with intent to defraud ____, furnish money, goods, services, and things of value having a value of over \$500 to ____ upon presentation of a credit card issued to ____, knowing the said card to have been [stolen/forged/illegally purchased/illegally sold].



CR 8-207(a)(2)
MISDEMEANOR
\$500.00 - 18 MONTHS

****CRD CRD FALSE CLM-SL L/T \$500***

...did, having been authorized by ____ (issuer) to furnish ____ money, goods, service, and anything of value, having the value of ____, to ____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied ____ (money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).



* 3 4 1 6 5 *

CR 8-207(a)(2)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS

****CRD CRD FLS CLM SELL + \$500****

...did, having been authorized by ____ (issuer) to furnish ____ money, goods, service, and anything of value, having the value of ____, to ____ (authorized cardholder), with the intent to defraud, represent in writing that [he/she] supplied ____ (money, etc.) which [he/she] failed to supply as represented in the writing, the difference being ____ (amount).



* 1 0 1 9 9 *

CR 8-208(b)(1)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS

****CRED. CARD INCOMP. POSSESS****

...did possess an incomplete credit card issued to ____, with the intent to complete same without the consent of ____, the issuer.



* 1 0 2 0 0 *

CR 8-208(b)(2)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS

****CRED. CARD EQUIP TO PRODUC****

...did knowingly possess machinery, plates, and other contrivance, to wit: ____ designed to produce credit cards of ____, without his consent.

CR 8-209(2)
 FELONY
 DISTRICT COURT
 \$1,000.00 - 15 YEARS



****FALSE CRD CRD: CHRG GOODS + \$500****

...did receive, money, goods, services, and things of value, to wit: ____ having a value of over \$500, obtained by means of a forged and misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

NOTE: Per CJ 4-301 District Court has exclusive original jurisdiction whether felony or misdemeanor.

NOTE: If a person commits a violation of this section pursuant to one scheme or continuing course of conduct, from the same or several sources, the conduct may be considered as one offense and the value of the money, goods, services, or anything else of value may be aggregated in determining if the offense is a felony or a misdemeanor.

NOTE: PAYMENT DEVICE NUMBERS: The definition of credit card includes a payment device number, which is defined in Section 8-206 as meaning any code, account number, or other means of account access, other than a check, draft, or other similar paper instrument, that can be used to obtain money, etc., or to transfer funds.

In addition, the Commercial Law article contains the "Credit Card Number Protection Act," Sec. 14-1401 thru 14-1405. That act includes a criminal charge for the possession of a credit card number with unlawful or fraudulent intent. The charge is included within this Manual under the Commercial Law article.

CR 8-209(2)
MISDEMEANOR
\$500.00 - 18 MONTHS



****FALSE CRD CRD: CHRG GOODS L/T \$500****

...did receive, money, goods, services, and things of value, to wit: ____ having a value of \$500 or less obtained by means of a forged and misrepresented credit card issued to ____ and negotiated by ____, knowing the said [money/goods, etc.] was illegally obtained.

Publish Number/Code of Telephone Credit Card

CR 8-210
MISDEMEANOR
\$500.00 - 12 MONTHS



****TELEPHONE CRED CARD FRAUD****

...did publish and cause to be published the [number/code] of a telephone credit card with intent to defraud ____, (company).

NOTE: The published credit card number may be existing, cancelled, revoked, expired or non-existent.

CR 8-214
PENALTY SEC 8-216
FELONY
\$1,000.00 - 15 YEARS
DISTRICT COURT



****USE/DISCLOSE SIGNATURE****

...did unlawfully use and disclose the holder's signature of ____ (name holder)

NOTE: "Payment Device Number" means any code, account number, or other means of account access, other than a check, draft, or similar paper instrument, that can be used to obtain money, goods, services, or anything of value, or for purposes of initiating a transfer of funds.

"Holder's Signature" means the signature, including an electronically recorded signature of a holder in connection with a credit applications or credit card transaction. This definition includes, but is not limited to, credit card numbers, telephone calling card numbers, bank card P.I.N. numbers, and other numbers capable of use.

CR 8-214
PENALTY SEC 8-216
FELONY
\$1,000.00 - 15 YEARS
DISTRICT COURT

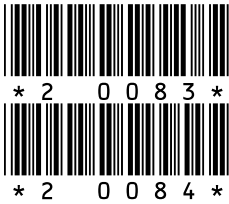


* 2 0 5 5 0 *

****USE/DISCLOSE CREDIT CARD NOS**

...did unlawfully use and disclose a payment device number, to wit: _____ (identify and describe number).

CR 8-301(c)(2)(ii)
 LESS THAN \$500.00
 (BARCODE 2-0083)
 MISDEMEANOR
 \$5,000.00 - 18 MONTHS
 MORE THAN \$500
 (BARCODE 2-0084)
 FELONY
 \$5,000.00 - 5 YEARS
 DISTRICT COURT

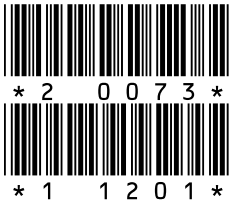


****FRAUD-PER. IDENT. AVOID PAY****

...did knowingly and willfully assume the identity of
 _____(name), with fraudulent intent to avoid the
 payment of a debt or other legal obligation, to wit:

_____.

CR 8-301(c)(2)(i)
 LOSS LESS THAN \$500.00
 (BARCODE 2-0073)
 MISDEMEANOR
 \$5,000.00 - 18 MONTHS
 LOSS MORE THAN \$500
 (BARCODE 1-1201)
 FELONY
 DISTRICT COURT
 \$25,000.00 - 5 YEARS



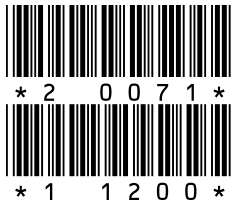
****FRAUD-PER. IDENT. INFO. THEFT****

...did knowingly and willfully assume the identity of
 _____(name) with fraudulent intent to obtain any
 benefit, credit, goods, services, or other item of value, to wit:

_____.

Fraud - Personal Identifying Information

CR 8-301(b)
 MISDEMEANOR
 LOSS LESS THAN \$500.00
 (BARCODE 2-0071)
 \$5,000.00 - 18 MONTHS
 LOSS MORE THAN \$500.00
 (BARCODE 1-1200)
 FELONY
 DISTRICT COURT
 \$25,000.00 - 5 YEARS

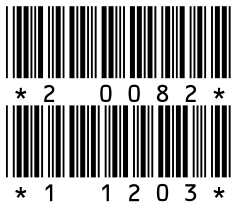


****FRAUD-PER. IDENT. INFO. THEFT****

...did knowingly, willfully, and with fraudulent intent
 [obtain/aid another person in obtaining] personal identifying
 information of _____(name), without the consent
 of said _____(name), for the purpose of
 [using/selling/transferring] that information to obtain any
 benefit, credit, goods, services or other item of value in the
 name of the said _____(name).

NOTE: Venue - charges under this section may be prosecuted
 in a jurisdiction which an element of the crime occurred or in
 which the victim resides. (CR 8-301(m)).

CR 8-301(c)(1)
 LOSS LESS THAN \$500.00
 (BARCODE 2-0081)
 MISDEMEANOR
 \$5,000.00 - 18 MONTHS
 LOSS MORE THAN \$500.00
 (BARCODE 1-1203)
 FELONY
 DISTRICT COURT
 \$25,000.00 - 5 YEARS



****FRAUD-PER. IDENT. AVOID PROS****

...did knowingly and willfully assume the identity of _____ (name), to avoid identification, apprehension or prosecution for a crime, to wit: _____.

NOTE: Personal identifying information means the name, address, telephone number, driver's license number, social security number, place of employment, employee identification number, mother's maiden name, bank or other financial institution account number, date of birth, personal identification number, credit card number of an individual or other payment device number.

NOTE: When violation is pursuant to one scheme or continuing course of conduct, whether from the same or several sources, the conduct may be considered as one offense and the value of the benefit, credit, goods, services, or other item may be aggregated in determining whether the violation is a felony or misdemeanor.

AGE IDENTIFICATION CARDS AND DOCUMENTS

Sale or Issuance - Blank Spaces

CR 8-302(b)(1)(2)
MISDEMEANOR
\$2,000.00 - 2 YEARS
EACH CARD SEPARATE
OFFENSE



****FALSE ID/SALE-ISSUE****

...did [sell/issue/offer for sale/offer to issue] [an identification card/a document] which contained:

(Select appropriate language)

1. a blank space for a person's [age/date of birth];
2. an incorrect [age/date of birth] of a person.

NOTE: Each card or document is a separate violation of this section. The section contains an exception for manufacturers who deliver blank ID cards to governmental agencies, or for use as employee or patient identification cards.

CR 8-303(b)(1)(2)
MISDEMEANOR
\$500.00 - 6 MONTHS



****POSSESS/USE FALSE GOVERNMENT
IDENTIFICATION DOC***

...did, with fraudulent intent, [possess/display/cause/allow to be displayed] a fictitious or fraudulently altered government identification document.

CR 8-303(b)(3)(4)
 MISDEMEANOR
 \$500.00 - 6 MONTHS



****DISPLAY GOV'T ID OF ANOTHER****

...did, with fraudulent intent, [display/allow the use of/lend] a government identification document issued to _____
 (name of document holder).

Conversion of Partnership Money, Etc.

CR 8-401(a)(1)
 MISDEMEANOR
 \$5,000.00 - 10 YEARS



****FRAUD-PARTNERSHIP MONEY****

...did, as a partner, fraudulently convert to his own use _____
 [describe], the property of _____ (name partnership).

CR 8-401(a)(3)
 MISDEMEANOR
 \$5,000.00 - 10 YEARS



****FRAUD-PARTNERSHIP MONEY****

...did, as a partner, fraudulently [make/fail to make] entries of a partnership transaction in the books of ____ (name partnership) to show the true state of a transaction relating to the partnership business.

Misrepresentation/Corporate Officer or Agent

CR 8-402(a)(1)(2)
 MISDEMEANOR
 \$10,000.00 - 3 YEARS

****FRAUD MISREP BY CORP OFFCER****

...did as a corporate [officer/agent] of ____ (name corporation) fraudulently [sign/assent to] a publication for the public and shareholders containing untruthful representations of said corporation's affairs, assets, and liabilities to [[enhance/depress] the market value of its [shares/corporate obligation]/thereby accomplishing fraud, to wit: ____ (describe fraudulent intent and name or describe victim(s)).

Pyramid Promotional Scheme

CR 8-404(b)
 MISDEMEANOR
 \$10,000.00 - 1 YEAR

****FRAUD-PYRAMID/PROM SCHEME****

...did [establish/advertise/promote] a pyramid promotional scheme.

NOTE: "Pyramid promotional scheme" means any plan or operation by which a participant gives consideration for the opportunity to receive compensation to be derived primarily from any person's introduction of other persons into a participation in the plan or operation rather than from the sale of goods, services, or other intangible property by the participant or other persons introduced into the plan or operation.

Cargo, Wrongful Disposal/ Refusal to Pay Consideration

CR 8-405(b)(1)(2)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



* 1 2 7 0 1 *

****CARGO SEL DEF RD BOAT OWNER****

...did, being employed in the [management/navigation] of _____,
 a vessel operating exclusively on the waters of Maryland,
 [sell/give away/pledge/dispose of] its cargo, belonging to _____,
 the owner of the vessel, without the consent of and with the
 intent to defraud said owner.

CR 8-405(c)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



* 1 0 1 9 4 *

****CARGO REC/KEEP \$ FRM FALSE****

...did, being employed by _____, the owner of _____, a
 vessel operating exclusively on Maryland waters, for the
 [management/navigation] of the said vessel, receive \$_____ in
 consideration for the sale of the cargo of said vessel, without
 the consent of its owner, and did refuse and neglect to pay such
 consideration to said owner, with the intent to defraud said
 owner.

Breach of Trust, Bill of Lading Elevator or Warehouse Receipts

CR 8-406(a)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****FRAUD-BREACH OF TRUST****

...did receive in trust from ____ (victim) a [warehouse receipt/bill of lading/document giving title/document giving the right of possession] to ____ (specify property) under a written contract, and did fail to perform the terms and conditions of the trust as expressed in the written contract.

NOTE: This section does not cover the failure by an agent to deliver to the consignor the completed transfer documents or the payment for the shipment after the shipment or other transfer of goods or property has been completed. That failure should be charged under CR 7-116.

Conversion/Leased or Rented Goods

CR 8-407
MISDEMEANOR
\$1,000.00 - 60 DAYS



****FRAUD CONVERSN/LEASE GOODS****

...after receiving physical possession of [goods/things of value], to wit: _____, for the purpose of leasing and renting the use of the same for a valuable consideration, did fraudulently convert the same to [his/her] own use.

NOTE: Defendant must have received the item(s) under written lease, written contract, or written rental contract. If document contains option to buy, the agreement cannot be for longer than six months. If there is no option to buy, length of agreement does not matter. FAILURE TO RETURN OR ACCOUNT FOR THE ITEM AT THE END OF THE AGREED PERIOD IS PRIMA FACIE EVIDENCE OF A VIOLATION OF THIS SECTION, EXCEPT THAT, if the Defendant is a resident of Maryland, victim must have been sent a written, postpaid, return receipt requested demand for return of the item(s) and must wait 10 days, if no response, before charging.

NOTE: See section regarding written demand requirement.

Welfare-Obtaining Public Assistance by Fraud

CR 8-503
MISDEMEANOR
\$1,000.00 - 3 YEARS



****FRAUD-WELFARE****

...did [fraudulently obtain/fraudulently attempt to obtain/aid in fraudulently obtaining/aid in fraudulently attempting to obtain] a benefit to which the person aided was not entitled, to wit: _____ (name benefit-see NOTE below), from _____ (name program), a [social /nutritional] program financed in whole and in part by the State of Maryland and administered by _____ (name State agency or political subdivision agency), and did so by:

NOTE: Use whichever of the following is applicable:

1. wilfully making a false [statement/representation] to _____ (agency).
2. wilfully failing to disclose to _____ material changes in [household/financial] conditions.
3. impersonating another person.

NOTE: The benefit sought or obtained can be money, property, food stamps, or any other assistance EXCEPT MEDICAID. SEE NEW SECTION 230 C for Medicaid Fraud.

NOTE: Any person who in making and signing the application for money, property, food stamps, or other assistance, under a social or nutritional program based on need, financed in whole or in part by the state and administered by the Department of Human Resources, the Department of Health and Mental Hygiene, or the local Department of Social Services makes a false or fraudulent statement with intent to obtain any such money, property, food stamps, or other assistance is guilty of perjury and on conviction is subject to the penalties provided by law for perjury. (CR 9-101)

NOTE: A prosecution for welfare fraud must be brought within 3 years after the offense was committed. Medical assistance does not include Medicaid as defined in CR 8-508.

Unauthorized Disposition/Conversion Donated Food Commodity

CR 8-505(a)
MISDEMEANOR
\$500.00 - 6 MONTHS



****FRAUD-UNAUTH DISP. FOOD****

...did, [with intent to defraud, make an unauthorized disposition of/not being an authorized recipient, convert to [his/her] use and benefit] a food commodity donated under a program of the United States Government, to wit: _____ (name program).

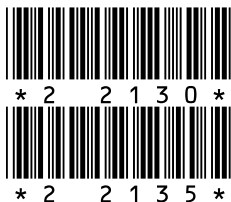
CR 8-509(1)
 (PENALTY SEC. CR 8-516)
 FELONY
 LIFE - \$200,000.00
 BUSINESS ENTITY
 \$250,000.00
 PRELIMINARY HEARING



****FRAUD HEALTH CARE-DEATH-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully defraud a State Health Plan, to wit:
 _____ (name plan), which resulted in the death of
 _____ (name person) in connection with the delivery
 of and payment of health care services.

CR 8-509(1)
 PENALTY SEC. 8-516
 LOSS LESS THAN \$500
 (BARCODE 2-2130)
 MISDEMEANOR
 \$100,000 EACH OFFENSE
 LOSS MORE THAN \$500
 (BARCODE 2-2135)
 FELONY
 \$250,000 EACH OFFENSE
 PRELIMINARY HEARING



****DEFRAUD HEALTH CARE-BUSINESS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully defraud a State Health Plan, to wit:
 _____ (name plan), in the amount of _____ in
 connection with the delivery of and payment of health care
 services.

CR 8-509(1)
 PENALTY SEC. 8-516
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****DEFRAUD HEALTH CARE-DEATH****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), which resulted in the death of _____ (name person) in connection with the delivery of and payment of health care services.

FRAUD - STATE HEALTH PLANS

CR 8-509(1)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2110)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500.00
 (BARCODE 2-2115)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING
 PENALTY 8-516



****DEFRAUD STATE HEALTH CARE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), in the amount of _____ in connection with the delivery of and payment of health care services.

CR 8-509(1)
FELONY
\$100,000.00 - 20 YEARS
PRELIMINARY HEARING



****DEFRAUD HEALTH CARE-INJURE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), which resulted in the serious injury of _____ (name person injured) in connection with the delivery of and payment of health care services.

CR 8-509(1)
PENALTY SEC. 8-516
LOSS LESS THAN \$500
MISDEMEANOR
\$100,000.00 EACH
OFFENSE
LOSS MORE THAN \$500
FELONY
\$250,000.00 EACH
OFFENSE
PRELIMINARY HEARING



****FRAUD HLTH CARE-INJURE-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), which resulted in the serious injury of _____ (name person injured) in connection with the delivery of and payment of health care services.

CR 8-509(2)
 PENALTY SEC. CR 8-516
 LOSS LESS THAN \$500
 MISDEMEANOR
 \$100,000.00 EACH
 LOSS MORE THAN \$500
 FELONY
 \$250,000.00 EACH
 PRELIMINARY HEARING



****BEN BY FALSE REP-INJURE-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan) which
 resulted in the serious injury of _____ (name person
 injured).

CR 8-509(2)
 (PENALTY SEC. CR 8-516)
 RESULTING SERIOUS
 INJURY
 FELONY
 \$100,000 - 20 YEARS
 PRELIMINARY HEARING



****OBTAIN BEN-FALSE REP-INJURE****

...did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan) which
 resulted in the serious injury of _____ (name person
 injured).

CR 8-509(2)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2170)
 MISDEMEANOR
 \$100,000.00 EACH
 LOSS MORE THAN \$500
 (BARCODE 2-2175)
 FELONY
 \$250,000.00 EACH
 PRELIMINARY HEARING



****OBTAIN BEN-FALSE REP-BUSINESS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan).

CR 8-509(2)
 (PENALTY SEC. CR 8-516)
 \$100,000.00 EACH
 FELONY
 \$250,000.00 EACH
 PRELIMINARY HEARING



****BEN BY FALSE REP-DEATH-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan) which
 resulted in the death of _____ (name person).

CR 8-509(2)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2150)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-2155)
 FELONY
 \$100,000 - 5 YEARS
 PRELIMINARY HEARING



****OBTAIN BENEFITS BY FALSE REP****

...did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan).

CR 8-509(2)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****OBTAIN BEN-FALSE REP-DEATH****

...did knowingly and willfully obtain by false representation,
 _____ (name benefit) in connection with the delivery
 of and payment for health care services that are a benefit of a
 State health plan, to wit: _____ (name plan) which
 resulted in the death of _____ (name person).

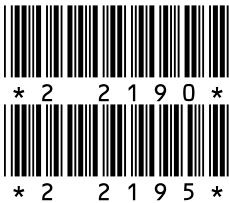
CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****DEFRAUD HEALTH-SERVICE-INJURE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, which resulted in the serious injury of _____ (name person injured).

CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2190)
 MISDEMEANOR
 \$50,000 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-2195)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****DEFRAUD HEALTH PLAN-SERVICE****

...did knowingly and willfully defraud a State Health Plan, to wit: _____ (name plan), of the right to honest services, in the amount of _____.

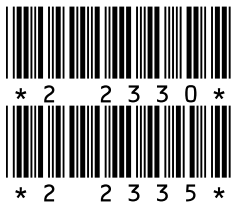
CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****FRAUD HLTH -SERVICE-DEATH-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully defraud a State Health Plan, to wit:
 _____ (name plan), of the right to honest services, which
 resulted in the death of _____ (name person).

CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2330)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-2335)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****FRAUD HEALTH-SERVICE-BUSINESS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully defraud a State Health Plan, to wit:
 _____ (name plan), of the right to honest services, in the
 amount of _____ .

CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



* 2 2 3 4 0 *

****FRAUD HLTH-SERVICE-INJURE-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully defraud a State Health Plan, to wit:
 _____ (name plan), of the right to honest services, which
 resulted in the serious injury of _____ (name person
 injured).

CR 8-509(3)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



* 2 2 3 2 5 *

****DEFRAUD HEALTH-SERVICE-DEATH****

...did knowingly and willfully defraud a State Health Plan, to
 wit: _____ (name plan), of the right to honest services,
 which resulted in the death of _____ (name person).

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
\$250,000.00
PRELIMINARY HEARING



****FLS REP-HLTH CARE-INJURE-BUS****

...being a business entity, to wit: _____ (name business),
did, with the intent to defraud, make a false representation
relating to [health care services, to wit: _____ / a State
Health Plan, to wit: _____], which resulted in the serious
injury of _____ (name person injured).

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
\$100,000.00 - 20 YEARS
PRELIMINARY HEARING



****FLS REP-HEALTH CARE-INJURE****

...did, with the intent to defraud, make a false representation
relating to [health care services, to wit: _____ / a State
Health Plan, to wit: _____], which resulted in the serious
injury of _____ (name person injured).

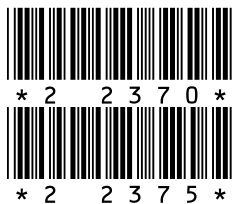
CR 8-509(4)
PENALTY SEC. 8-516
FELONY
\$200,000.00 - LIFE
PRELIMINARY HEARING
RELEASE RESTRICTION



****FLS REP-HEALTH CARE-DEATH****

...did, with the intent to defraud, make a false representation
relating to [health care services, to wit: _____ / a State
Health Plan, to wit: _____], which resulted in the death
of _____ (name person).

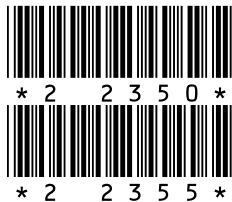
CR 8-509(4)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2370)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-2375)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****FLS REP-HEALTH CARE--BUSINESS****

...being a business entity, to wit: _____ (name business),
 did, with the intent to defraud, make a false representation
 relating to [health care services, to wit: _____ / a State
 Health Plan, to wit: _____],

CR 8-509(4)
 PENALTY SEC. 8-516
 LOSS LESS THAN \$500
 (BARCODE 2-2350)
 MISDEMEANOR
 LOSS MORE THAN \$500
 \$50,000.00 - 3 YEARS
 (BARCODE 2-2355)
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****FLS REP-DEFRAUD HEALTH CARE****

...did, with the intent to defraud, make a false representation
 relating to [health care services, to wit: _____ / a State
 Health Plan, to wit: _____].

CR 8-509(4)
(PENALTY SEC. CR 8-516)
FELONY
\$250,000.00
PRELIMINARY HEARING



****FLS REP-HLTH CARE-DEATH-BUS****

...being a business entity, to wit: _____ (name business),
did, with the intent to defraud, make a false representation
relating to [health care services, to wit: _____ / a State
Health Plan, to wit: _____], which resulted in the death
of _____ (name person).

CR 8-511(1)(2)
(PENALTY SEC. CR 8-516)
FELONY
\$100,000.00 - 20 YEARS
PRELIMINARY HEARING



****BUS KICKBCK-HLTH PLAN-INJURE****

...being a business entity, to wit: _____, did provide
to _____ (name) [items/services] for which payment
[is/may be] made from [federal/state] funds under a state health
plan, to wit: _____ (name plan) and did [solicit
/offer/make/receive] a [kickback/bribe] in connection with
[providing items or services/making a payment/receiving a
benefit], which resulted in serious injury to _____
(name person injured).

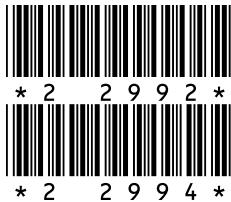
CR 8-511(1)(2)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2975)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-2980)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****KICKBACK-HEALTH PLAN SERV****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit].

CR 8-511(1)(2)
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2992)
 MISDEMEANOR
 \$100,000.00 EACH
 LOSS MORE THAN \$500
 (BARCODE 2-2994)
 FELONY
 \$250,000.00 EACH
 PRELIMINARY HEARING



****KICKBACK-HLTH SERV-BUS****

...being a business entity, to wit: _____, did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit].

CR 8-511(1)(2)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****KICKBACK-HEALTH PLAN-DEATH****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of _____ (name person).

CR 8-511(1)(2)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



* 2 2 9 8 5 *

****KICKBACK-HEALTH PLAN-INJURE****

...did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in serious injury to _____ (name person injured).

CR 8-511(1)(2)
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



* 2 2 9 9 6 *

****BUS KICKBCK-HLTH PLAN-DEATH****

...being a business entity, to wit: _____, did provide to _____ (name) [items/services] for which payment [is/may be] made from [federal/state] funds under a state health plan, to wit: _____ (name plan) and did [solicit /offer/make/receive] a [kickback/bribe] in connection with [providing items or services/making a payment/receiving a benefit], which resulted in the death of _____ (name person).

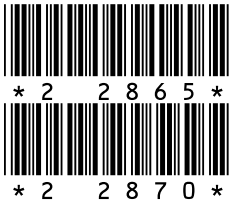
CR 8-512
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****HLTH BEN-SOLICIT FEE-INJURE****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment (is/may be) made from [federal/state] funds under a State State Health Plan, to wit: _____, which resulted in the serious injury of _____ (name person injured).

CR 8-512
 (PENALTY SEC. 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2865)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-2870)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****HEALTH BENEFIT-SOLICIT FEE****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for referring _____ (name) to _____ (person) to provide items and services for which payment (is/may be) made from [federal/state] funds under a State State Health Plan, to wit: _____] in the amount of _____ .

CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
\$100,000.00 - 20 YEARS
PRELIMINARY HEARING



****HLTH BEN-SOLICIT-INJURE-BUS****

...being a business entity, to wit: _____ (name business),
did [solicit/offer/make/receive] a rebate of a [fee/charge] for
referring _____ (name) to _____ (person) to
provide items and services for which payment (is/may be) made
from [federal/state] funds under a State State Health Plan, to
wit: _____], which resulted in the serious injury of
_____ (name person injured).

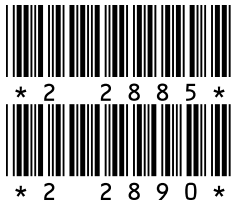
CR 8-512
(PENALTY SEC. CR 8-516)
FELONY
\$200,000.00 - LIFE
PRELIMINARY HEARING



****HLTH BEN-SOLICIT-DEATH-BUS****

...being a business entity, to wit: _____ (name business),
did [solicit/offer/make/receive] a rebate of a [fee/charge] for
referring _____ (name) to _____ (person) to
provide items and services for which payment (is/may be) made
from [federal/state] funds under a State State Health Plan, to
wit: _____], which resulted in the death of
_____ (name person).

CR 8-512
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2885)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-2890)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****HLTH BEN-SOLICIT FEE-BUS****

...being a business entity, to wit: _____ (name business),
 did [solicit/offer/make/receive] a rebate of a [fee/charge] for
 referring _____ (name) to _____ (person) to
 provide items and services for which payment (is/may be) made
 from [federal/state] funds under a State State Health Plan, to
 wit: _____] in the amount of _____ .

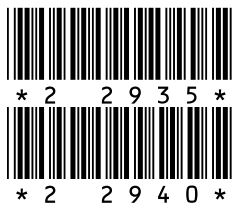
CR 8-512
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****HLTH BEN-SOLICIT FEE-DEATH****

...did [solicit/offer/make/receive] a rebate of a [fee/charge] for
 referring _____ (name) to _____ (person) to
 provide items and services for which payment (is/may be) made
 from [federal/state] funds under a State State Health Plan, to
 wit: _____ , which resulted in the death of _____
 (name person).

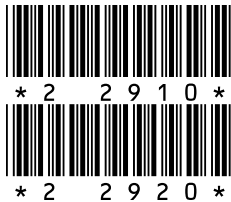
CR 8-513
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2935)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-2940)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****FALSE REP-HLTH PLAN-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____.

CR 8-513
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-2910)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-2920)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****INDUCE FALSE REP-HLTH PLAN****

...did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____.

CR 8-513
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****FALSE REP-HLTH PLAN-INJURE****

...did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the serious injury of _____ (name person injured).

CR 8-513
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****FALSE REP-HLTH PLAN-DEATH****

...did knowingly and willfully [make /cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the death of _____ (name person).

CR 8-513
 (PENALTY SEC. CR 8-516)
 FELONY
 \$250,000.00 - 20 YEARS
 PRELIMINARY HEARING



****FALSE REP-INJURE-BUSINESS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the serious injury of _____ (name person).

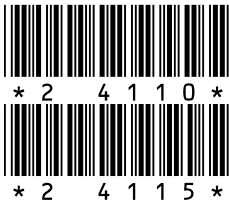
CR 8-513
 (PENALTY SEC. CR 8-516)
 FELONY
 \$250,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****FALSE REP--DEATH-BUSINESS****

...being a business entity, to wit: _____, did knowingly and willfully [make / cause to be made/ induce the making of] a false representation with respect to the conditions and operation of a [facility /institution / State health plan], to help such to qualify to receive reimbursement under a State Health Plan, to wit: _____ in the amount of _____, which resulted in the death of _____ (name person).

CR 8-514
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-4110)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 LOSS MORE THAN \$500
 (BARCODE 2-4115)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****FRAUD-OBTAIN DRUG/MED CARE****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address].

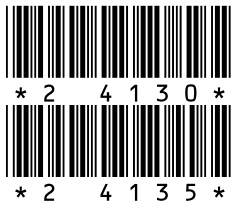
CR 8-514
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****FRAUD-MED CARE-DEATH-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of _____ (name person).

CR 8-514
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-4130)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-4135)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****FRAUD-OBTAIN MED CARE-BUS****

...being a business entity, to wit: _____, did
 knowingly and willfully [obtain/aid _____ (name) in
 obtaining/aid _____ (name) in attempting to obtain] [a drug
 product / medical care], the payment [is/may be] made from
 [federal/state] funds under a state health plan by [fraud / deceit /
 misrepresentation / concealment / forgery of a medical
 assistance prescription / alteration of a medical assistance
 prescription / forgery of a pharmacy assistance prescription /
 alteration of a pharmacy assistance prescription / concealment
 of a material fact / using a false name/ using a false address].

CR 8-514
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****FRAUD-DRUG/MED CARE-INJURE****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to _____ (name person injured).

CR 8-514
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****FRAUD-/MED CARE-INJURE-BUS****

...being a business entity, to wit: _____, did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in serious injury to _____ (name person injured).

CR 8-514
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****FRAUD-DRUG/MED CARE-DEATH****

...did knowingly and willfully [obtain/aid _____ (name) in obtaining/aid _____ (name) in attempting to obtain] [a drug product / medical care], the payment [is/may be] made from [federal/state] funds under a state health plan by [fraud / deceit / misrepresentation / concealment / forgery of a medical assistance prescription / alteration of a medical assistance prescription / forgery of a pharmacy assistance prescription / alteration of a pharmacy assistance prescription / concealment of a material fact / using a false name/ using a false address], which resulted in the death of _____ (name person).

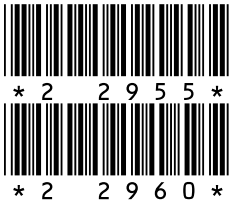
CR 8-515
 (PENALTY SEC. CR 8-516)
 LOSS LESS THAN \$500
 (BARCODE 2-4150)
 MISDEMEANOR
 \$100,000.00
 LOSS MORE THAN \$500
 (BARCODE 2-4155)
 FELONY
 \$250,000.00
 PRELIMINARY HEARING



****POSS CARD W/O AUTH-BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully possess a [medical assistance card / medical assistance program/pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued.

CR 8-515
 (PENALTY SEC. CR 8-516)
 (BARCODE 2-2955)
 MISDEMEANOR
 \$50,000.00 - 3 YEARS
 (BARCODE 2-2960)
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****POSS MED/PHARM CARD W/O AUTH****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued.

CR 8-515
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****POSS CARD W/O AUTH-INJURY****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the serious injury of _____ (name person injured).

CR 8-515
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****POSS CARD W/O AUTH-DEATH****

...did knowingly and willfully possess a [medical assistance card / pharmacy assistance card] distributed under a [State health plan / medical assistance program/pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the death of _____ (name person)

CR 8-515
 (PENALTY SEC. CR 8-516)
 FELONY
 \$200,000.00 - LIFE
 PRELIMINARY HEARING
 RELEASE RESTRICTION



****POSS CARD NO AUTH-DEATH- BUS****

...being a business entity, to wit: _____ (name business), did knowingly and willfully possess a [medical assistance card / medical assistance program/pharmacy assistance card] distributed under a [State health plan / pharmacy assistance program], to wit: _____ (name) without the authorization of _____ (person), to whom the card was issued, which resulted in the death _____ (name person).

CR 8-515
 (PENALTY SEC. CR 8-516)
 FELONY
 \$100,000.00 - 20 YEARS
 PRELIMINARY HEARING



****POSS CARD NO AUTH-INJURY-BUS****

...being a business entity, to wit: _____ (name business),
 did knowingly and willfully possess a [medical assistance card /
 pharmacy assistance card] distributed under a [State health plan
 / medical assistance program/pharmacy assistance program], to
 wit: _____ (name) without the authorization of
 _____ (person), to whom the card was issued, which
 resulted in the serious injury of _____ (name person
 injured).

CR 8-520(c)(1)(2)
 MISDEMEANOR
 \$1,000.00 - 60 DAYS



****FRAUD-MISREP FUND RAISING****

...did [encourage/receive/solicit] from _____ a donation and
 contribution of _____ (describe item or state amount) by
 representing that said donation and contribution had the
 approval and sanction of _____ (see note), without first
 obtaining the written authorization of the said
 [person/organization].

**Misrepresentation in Fund Raising Campaigns - Identifying
Police Dept. With**

CR 8-520(c)(1)(2)
MISDEMEANOR
\$1,000.00 - 60 DAYS



****FRAUD-MISREP FUND RAISING****

...did offer items for sale in a [charitable/fund raising] campaign by representing to [the public/_____, a prospective purchaser] that such fund raising was approved and sanctioned by _____ (see note), without first obtaining the written authorization of the said [person/organization].

NOTE: In this section a Public Safety Officer is a police officer, paid or volunteer fire fighter, an emergency medical technician, a rescue squad member, or the State Fire Marshal or any of his sworn officers. The written approval and sanction of a Public Safety Officer or any member of his or her family, or that of the chief administrative officer of a police, fire, or other department of Public Safety organization, is required to avoid violation of this section before the illegal representations can be made.

Representation by Public Defender

CR 8-521
MISDEMEANOR
\$1,000.00 - 1 YEAR



****FRAUD-REP BY PUB DEFENDER****

...did knowingly, wilfully and falsely [obtain/attempt to obtain] legal representation by the Office of the Public Defender, by means of a [false representation/false statement/failure to disclose true financial condition/other fraudulent manner] _____ (specify).

NOTE: Normally applies to a false financial condition, but may be any other false material representation.

**Simulated Court Process Simulated Seal, Etc. of
Governmental Agency**

CR 8-522(b)(1)(i)
MISDEMEANOR
FIRST OFFENSE
\$100.00
SUB OFFENSE
\$500.00



* 5 2 6 0 4 *

****DOC USE/FAKE COURT PROCESS****

...did [use/sell/send to ____/deliver to ____] a document which simulated a [summons/complaint/court process], with intent to induce payment of a claim from ____ (name of victim).

CR 8-522(b)(2)
MISDEMEANOR
FIRST OFFENSE
\$100.00
SUB OFFENSE
\$500.00



* 1 0 2 1 9 *

****DOC USE FAKE GOV ORIGIN****

...did use a [seal/insignia/ envelope/other format] which simulated that of a governmental agency, to wit: ____, with the intent to induce payment of a claim from ____ (name of victim).

NOTE: This offense may be prosecuted in the county in which the document was used, sold, sent or delivered.

CR 8-522(b)(ii)
 MISDEMEANOR
 FIRST OFFENSE
 \$100.00
 SUB OFFENSE
 \$500.00



****DOCUMENT USE IMPLY GOV ASSO****

...did [use/sell/send to ____/deliver to ____] a document which implied that the defendant [was a branch of/was associated with] a department or agency of the federal or state government, to wit: _____.

CR 8-523
 MISDEMEANOR
 \$5,000.00 - 3 YEARS



FALSE STMT HOUSING ASSISTANCE

...did knowingly make a false statement of a material fact for the purpose of influencing a housing agency _____ (name agency) regarding [an application for housing assistance/an action affecting housing assistance already provided].

COUNTERFEITING AND FORGERY

Private Instruments Generally

CR 8-601(a)
FELONY
DISTRICT COURT
\$1,000.00 - 10 YEARS



****FORGERY-PRIV DOCUMENTS****

...did falsely make, forge, and counterfeit, cause and procure to be falsely made, forged, and counterfeited, and did willingly aid and assist in falsely making, forging, and counterfeiting _____ (type of document) with the intent to defraud.

NOTE: Violations of CR 8-601 AND 602 are tried in the District Court, whether a felony or a misdemeanor.

NOTE: This section applies to such instruments as deeds, wills or codicils, promissory notes, assignments, entries in a book of account or ledger, etc. The 1998 Legislature specifically added "TITLE TO MOTOR VEHICLE" as a type of document covered by this section. This section also covers forgery of power of attorney. The type of document should be fully described. For instance, if it is a check, you must indicate the date, the amount, the bank and the payee. Merely stating "a check", "a deed", etc. is not sufficient.

NOTE: In addition to the type of document, if the forgery involves an endorsement, you should specify that it is such, the type of document and where in the document the forged endorsement appears, i.e., generally on the reverse or back.



CR 8-601(b)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****FORGERY/PRIV DOCUMENT/POSSESS****

...did, with fraudulent intent, knowingly and willfully possess a counterfeit document, to wit: _____ (type of document).

NOTE: Document list under CR 8-601(a).

NOTE: Prosecution may be commenced in any county in which:

- an element of the crime occurred
- the victim resides
- if the victim is not individual, the victim conducts business.



CR 8-602
FELONY
DISTRICT COURT
\$1,000.00 - 10 YEARS

****UTTERING FALSE DOCUMENT****

...did utter and publish as true a false, forged, altered, and counterfeited _____ (type of document) with the intent to defraud.

Possession Of Forged Motor Vehicle Title



CR 8-603
MISDEMEANOR
\$1,000.00 - 3 YEARS

****POSS FORGED VEH TITLE****

...did possess, with unlawful intent, a forged, counterfeited and altered title to a motor vehicle.

CR 8-604
 FELONY
 PENALTY
 \$10,000 - 10 YEARS
 DISTRICT COURT



****CURRENCY: MAKE IMAGE****

...did [make/scan/record/reproduce/transit/hold in control/have in custody/have in possession] an [analogue/digital/electronic image] of U.S. currency with intent to defraud.

Public Documents Generally

CR 8-604
 FELONY
 PENALTY
 \$10,000 - 10 YEARS
 DISTRICT COURT



****CURRENCY: MANUFACTURE/COUNTERFEIT****

...did [manufacture/counterfeit/cause to be/willingly aid in/willingly assist in] counterfeiting U.S. currency with intent to defraud.

CR 8-604.1
 MISDEMEANOR
 \$1,000.00 - 3 YEARS



****POSS/ISSUE FORGED CURRENCY****

...did knowingly [possess, with unlawful intent/issue] counterfeit United States Currency.

Public Documents Generally

CR 8-605(a)(1)
 FELONY
 10 YEARS
 DISTRICT COURT

****FORGERY-PUBLIC DOCUMENT****

...did falsely make, forge and counterfeit, cause and procure to be falsely made, forged, and counterfeited, and did willingly aid and assist in falsely making, forging, and counterfeiting _____ (type of document, see note) with the intent to defraud.

CR 8-605(a)(2)
 FELONY
 10 YEARS
 DISTRICT COURT

****PASS FORGED PUBLIC DOC.****

...did knowingly print, write, sign, and pass a falsely made, forged, and counterfeited document, to wit: _____ (describe document), with intent to defraud.

NOTE: A public document includes any commission, patent or pardon, or any warrant, certificate or other public security, whereby money may be drawn from the treasury of this State.

Public Record-False Entry; Altering, Defacing, Etc.

CR 8-606(b)(1)
 MISDEMEANOR
 \$1,000.00 - 3 YEARS

****PUBLIC RECORD-FALSE ENTRY****

...did wilfully [make/attempt to make] a false entry in a public record.



CR 8-606(b)(2)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****PUBLIC RECORD-DESTROY ETC.****

...[did/did attempt to] wilfully and without proper authority
[alter/ deface/destroy/remove/conceal] a public record, to wit:
_____ (describe record).



CR 8-606(b)(3)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****PUB RECRD ACCESS W/O AUTH****

...[did/did attempt to] without proper authority, wilfully and
intentionally access public records.

Orders, Edt., for Money or Goods



CR 8-609(b)(1)
FELONY
10 YEARS
DISTRICT COURT

****FORG-ORDER FOR MONEY, GOODS****

...did falsely make, alter, forge, and counterfeit, cause and
procure to be falsely made, altered, forged, and counterfeited,
and did willingly aid and assist in falsely making, altering,
forging and counterfeiting an order for the [payment of
money/delivery of goods/delivery of valuable articles] to wit:
_____ (describe document) with the intent to defraud.

CR 8-609(b)(2)
FELONY
10 YEARS
DISTRICT COURT



****UTTERING****

...did knowingly utter, publish, and pass a falsely made, altered, forged, and counterfeited order for the [payment of money/delivery of goods/delivery of valuable articles] to wit: _____ (describe document) with the intent to defraud.

CR 8-609(b)(3)
FELONY
10 YEARS
DISTRICT COURT



****OBTAIN GOODS, MONEY-FORGERY****

...did knowingly and fraudulently obtain [money/goods], to wit: _____ (describe items or state amount of money) by means of a counterfeited document, to wit: _____ (describe document).

NOTE: The documents referred to in CR 8-609 are defined as any warrant, letter, paper, writing, or order for payment of money or delivery of goods or other valuables. If in doubt consult the State's Attorney's Office.

CR 8-610
MISDEMEANOR
2 YEARS



****FORGERY-PRESCRIPTION****

...did knowingly [counterfeit/cause or procure to be counterfeited did willingly aid or assist in counterfeiting] a _____ (describe prescription or other order of practitioner) purporting to have been made by a duly licensed practitioner for _____ (name drug, prescription medication, or spirituous liquor).

CR 8-610(b)(3)
MISDEMEANOR
2 YEARS



****OBTAIN DRUG BY FRAUD****

...did obtain or attempt to obtain a prescription drug, to wit: ____
(name drug) by fraud, deceit, and misrepresentation.

CR 8-610(b)(2)
MISDEMEANOR
2 YEARS



****UTTER FORGED PRESCRIP****

...did knowingly [issue/possess/pass] a falsely made
counterfeited ____ (describe prescription or practitioner's
order) purporting to be made by a duly licensed practitioner,
knowing it to be falsely made, altered, forged and counterfeited,
for ____ (name drug or controlled medication).

CR 8-610(b)(2)
MISDEMEANOR
2 YEARS



****POSSESS FORGED PRESCRIP****

...didi [issue/pass/possess] counterfeited ____ (describe
prescription or other practitioner's order) for ____ (name drug
or prescription medication), knowing it to be falsely made,
altered, forged and counterfeited.

CR 8-611(b)
 MISDEMEANOR
 \$1,000.00 - 18 MONTHS
 SUBSEQUENT OFFENSE
 \$5,000.00 - 18 MONTHS



****COUNTERFEIT TM/UNDER \$1000**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/possess] with the intent to sell or distribute an item and service, to wit: _____ (describe), having a value of under \$1,000.00, knowing the said item and service to be bearing and identified by a counterfeit mark.

NOTES: "Intellectual Property" means a trademark service mark, offered for sale, manufactured, or distributed, or identifying services offered or rendered, without the authority of the owner of the intellectual property. State or federal registration of intellectual property is prima facie evidence that the intellectual property is a trademark or trade name.

Trademark Counterfeiting

CR 8-611(b)
 FELONY
 \$10,000.00 - 15 YEARS
 DISTRICT COURT



****COUNTERFEIT TRADEMARK/\$1000+**

...willfully did [manufacture/produce/display/advertise/offer for sale/sell/ possess] with the intent to sell or distribute an item and service, to wit: _____ (describe), having a value of \$1,000.00 or more, knowing the said item and service to be bearing and identified by a counterfeit mark

Tickets, Coupons, Tokens, Etc.

CR 8-612(b)(1)
MISDEMEANOR
1 YEAR

****FORGERY-TICKETS/COUPON ETC.****

...did [counterfeit/cause/to be counterfeited/did aid or assist in counterfeiting] a _____ (describe ticket, coupon, token slug, etc.) without the authority of the [person/corporation] issuing selling and giving away the aid item.

CR 8-612(b)(2)
MISDEMEANOR
1 YEAR

****UTTER FORGED TICKET, ETC.****

...did knowingly [issue/pass] a counterfeited token made without authority _____ (describe ticket, coupon, token, slug, etc.), knowing it to be counterfeit.

NOTE: CR 8-612 refers to tickets, coupons, coins, slugs, discs, tokens, or other items designed to be used to gain admission to, enter, or pass through, over, or into any place, activity, ride, bridge, etc.

Unlawful Operation/Vending or Slot Machine; Coin Box, Telephone, Etc.

CR 8-613
MISDEMEANOR
\$500.00 - 3 MONTHS

****FORGERY-VEND/OPER DEVICE****

...did [operate/cause to be operated/attempt to operate] a _____ [machine/or device] designed to receive lawful coin of the United States, by inserting therein _____ (type of device) without the consent of the [owner/licensee].

Manufacture, Etc. of Slugs, Etc.

CR 8-613(b)(3)
 MISDEMEANOR
 \$500.00 - 3 MONTHS

****FORGERY-MF/SELL SLUGS****

...did [manufacture for sale/sell/give away] a slug or device, or substance intended to be [deposited in an automatic vending machine].

Wills, Patents, Deeds Records, Etc.

CR 8-701
 MISDEMEANOR
 7 YEARS

****EMBEZZLE ETC-WRITINGS ETC****

...did wilfully and corruptly [embezzle/steal/withdraw/impair/distroy/alter] a [will/codicil/patent/deed/assignment of patent/writ of administration/review/record], with the intent to [defeat/injure/alter] the [estate/right] of _____ (name).

NOTE: One may have a right under a will without being a beneficiary under an estate.

Destroying/Secreting Will

CR 8-702(a)(1)(2)
 MISDEMEANOR
 15 YEARS

****WILL DESTROY/SECRETE****

...did, having been entrusted with the [will/codicil] of _____, [destroy such will/wilfully secrete such will for 6 months after having obtained knowledge of the death of _____(name)].

Livestock - Failure to Furnish Certificate as to Breed

CR 8-901
 MISDEMEANOR
 \$50.00

****FRAUD-CERTIFIED LIVESTOCK****

...did [refuse/fail] to furnish to _____, the purchaser of a [cow/bull/calf/sheep/hog/other livestock], within 90 days of purchase and delivery, the [paper/certificate] showing that such animal is pure bred, payment having been made by said purchaser for said animal.

NOTE: Animal must be paid for. The certificate or paper must be a condition of sale.

CR 8-904
 MISDEMEANOR
 \$5,000.00 - 3 YEARS

****FRAUD-RACE HORSE NAME****

...did knowingly [enter/race] a horse in a [running/trotting] race under a name other than that assigned and registered to that horse by the [Jockey Club/U.S. Trotting Association].

Pari-Mutuel Tickets Counterfeit or Altered

CR 8-905
 MISDEMEANOR
 \$1,000.00 - 1 YEAR

****FRAUD-PARI MUTUEL TICKETS****

...did knowingly [present/give to _____, to present] a [counterfeit/altered] pari-mutuel ticket for payoff.

PERJURY

General Note: In all of the following sections where the selection between oath and affirmation is offered, an oath is a swearing, by whatever form. An affirmation is used by Quakers and other persons who have conscientious scruples against taking an oath, who are therefore allowed to make affirmation in any mode which they may declare to be binding upon their conscience. Commissioners should generally use the word "oath" unless clearly otherwise indicated. In any instance in which the affidavit or transcript says "swear and affirm," or words to that effect, Commissioners may use the words "oath and affirmation" or "affidavit and affirmation." without having to choose between the two unless otherwise clearly indicated.

What is Deemed Perjury

CR 9-101(a)(1)
MISDEMEANOR
10 YEARS



****PERJURY: WITNESS IN COURT****

...did, on examination as a witness, duly sworn to testify in _____ [name, court and case/proceeding in which testimony was given], which said [Court/____ (other person administering the oath)] had authority to administer such oath, unlawfully and falsely swear _____

_____ (brief statement of allegedly false testimony), the matters so sworn being material, and said testimony being wilfully corrupt and false.

CR 9-101(a)(2)
MISDEMEANOR
10 YEARS



****PERJURY/AFFID REQ BY LAW****

...did, in an affidavit required by law to be taken, to wit: _____ (state law by Article and Section, or describe affidavit by title or purpose), wilfully and falsely make an [oath/affirmation] that _____ (brief statement of allegedly false statement), the matters so sworn being material.

CR 9-101(a)(3)
MISDEMEANOR
10 YEARS



* 1 0 3 0 8 *

****PERJURY/AFFID INDUCE COURT****

...did wilfully and falsely make an [oath/affirmation] in an affidavit to an [account/claim] for _____ [subject or amount of account or claim] made for the purpose of inducing _____ [name court or officer] to pass the [account/claim], to wit: _____ [brief statement of allegedly false statement], the matters so sworn being material.

CR 9-101(a)(3)
MISDEMEANOR
10 YEARS



* 2 4 1 7 0 *

****PERJURY/STATE HEALTH PLAN****

...did make a [false / fraudulent] statement with intent to obtain [money/property/food stamps/other assistance] under a social or nutritional program financed by the State.

CR 9-101(a)(4)
MISDEMEANOR
10 YEARS



* 1 0 3 0 9 *

****PERJURY/AFFID REQD BY GOV****

...did wilfully and falsely make an [oath/affirmation] in an affidavit required by [State/Federal/Local Government/Government Official] of _____ (name of entity), to wit: _____ (brief statement of falsehood), the matters so sworn being material.

CR 9-101(a)(5)
MISDEMEANOR
10 YEARS



****PERJURY/AFFID REQD MD RULE****

...did wilfully and falsely make an [oath/affirmation] in an [affidavit/affirmation] made pursuant to [Maryland Rule of Procedure # ____/Maryland District Rule # ____], to wit: _____ (brief statement of falsehood), the matters so sworn being material.

Contradictory Statements

CR 9-101(c)
MISDEMEANOR
10 YEARS



****PERJURY CONTRADICTORY STATEMENT****

...did, knowing one to be false, wilfully and falsely make [oath/affirmation], the matters so sworn being material, to two contradictory statements, to wit: _____ (see note).

NOTE: Briefly describe the date and nature of each oath or affidavit, and the nature of the contradiction. Examples are:

In sworn testimony before _____ (court) on _____ (date) did state _____; and in an affidavit dated _____ did swear that _____; or

In a sworn deposition on _____ (date) did state _____, and in sworn testimony before _____ (court) on _____ (date) did state _____; or

In sworn testimony before the Grand Jury for _____ (jurisdiction) on _____ (date) did state _____; and in sworn testimony before _____ (court) on _____ (date) did state _____.

NOTE: If the two contradictory statements made in violation of paragraph (1) of this subsection are made in different counties, the violation may be prosecuted in either county.

Subornation of Perjury

CR 9-102
 MISDEMEANOR
 10 YEARS

****PERJURY: SUBORNATION OF****

...did procure ____ (name) to make a false [oath/affirmation] that ____ (state nature of falsehood) [in an affidavit dated ____/in sworn testimony before ____ (court, grand jury, oath taken at deposition, hearing board, etc.)] in the matter of ____ (state name, nature, or purpose of affidavit, or name of court case), the matters so sworn being material.

BRIBERY; OBSTRUCTING JUSTICE**Public Employee**

CR 9-201(b)
 MISDEMEANOR
 \$5,000.00 - 12 YEARS

****BRIBE/ATT PUBLIC EMPLOYEE****

...did [bribe/attempt to bribe] ____ (name of public employee) for the purpose of influencing him/her in his/her capacity as ____ (position held).

CR 9-201(c)
 MISDEMEANOR
 \$5,000.00 - 12 YEARS

****BRIBE/DEMAND/RECEIVE PUBL EMP****

...did, while ____ (position held), [demand/demand and receive/receive] a bribe from ____ (name), for the purpose of influencing defendant in his/her said capacity.

NOTE: By Chapter 260, Laws of 1977, bi-county or multi-county agencies' employees were included within the bribery law.

Embracery-Acceptance of Bribe By Juror

CR 9-202
MISDEMEANOR
6 YEARS



****JUROR/TAKE BRIBE****

...did, being a juror in the case of _____ (state case), take _____ (describe gain or profit) for rendering his/her verdict in said case.

CR 9-202
MISDEMEANOR
6 YEARS



****BRIBE A JUROR****

...did procure _____ (name), a juror, to take _____ (describe gain or profit) for the rendering of [his/her] verdict in the case of _____ (state case).

Bribery, etc. of Voter

CR 9-203(1)
MISDEMEANOR
\$500.00 - 6 MONTHS



****BRIBE A VOTER****

...did bribe _____ (name) for the purpose of securing [his/her] vote and ballot at the election of _____ (date).



CR 9-203(2)
MISDEMEANOR
\$500.00 - 6 MONTHS

****KEEP PLACE/GRAT LIQ: ELECT****

...did [keep/suffer to be kept] _____ (place) for the purpose of providing intoxicating liquor gratuitously to voters on _____ (date), an election day during which times the polls were open.

Athletic Contest



CR 9-204
MISDEMEANOR
\$5,000.00 - 3 YEARS

****BRIBE/ATT ATHLETIC CONTEST****

...did [bribe/attempt to bribe] _____ (name) _____ (capacity) for the purpose of influencing the outcome of an athletic contest.

NOTE: The statute requires that the bribee be a person participating in or connected with the athletic contest. The bribee's "capacity" should briefly describe his/her connection to the contest, as in "player," "coach," "stadium official," "trainer," "referee," etc.

NOTE: The venue of this offense lies in any jurisdiction where the bribe was attempted or received. The athletic event does not have to be in the same County or Baltimore City, but it does have to be in Maryland. This section does not cover athletic events outside the State.

Athletic Contest, Acceptance

CR 9-205
 MISDEMEANOR
 \$5,000.00 - 3 YEARS

****ATHLETIC CNTST ACCPT BRIBE****

...did accept a bribe in defendant's capacity as _____ (capacity)
 from _____ (name) for the purpose of altering the outcome of
 an athletic contest.

NOTE: The statute requires that the bribee be a person
 participating in or connected in any way with the athletic
 contest. The bribee's "capacity" should briefly describe his or
 connection to the contest, as in "player," "coach," "stadium
 official," "trainer," "referee," etc.

CR 9-302(a)(b)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****INDUCE/INHIBIT TESTIMONY****

...did [harm/threaten to harm another/damage or destroy
 property of] _____ (name) with intent to _____ [influence victim
 or witness to testify falsely or withhold testimony/induce victim
 or witness to: [avoid service of subpoena or summons to
 testify/be absence from official proceeding to which he/she has
 been subpoenaed or summoned/not to report the existence of
 facts related to a crime or delinquent act].

CR 9-302(a)(b)
 FELONY
 20 YEARS
 PRELIMINARY HEARING



****INDUCE INHIBIT TESTIMONY - FELONY OFF****

...did [harm/threaten to harm another/damage or destroy property of] ____ (name) with intent to ____ [influence victim or witness to testify falsely or withhold testimony/induce victim or witness to: [avoid service of subpoena or summons to testify/be absence from official proceeding to which he/she has been subpoenaed or summoned/not to report the existence of facts related to a crime or delinquent act], the offense being a felonious violation of Title 5, or the commission of a crime of violence as described under CR 14-101.

****NOTE:** This applies to conspiracy or solicitation to commit such a crime.

CR 9-303
 MISDEMEANOR
 \$5,000.00 - 5 YEARS



****RETALIATE - WITNESS****

...did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against ____ (name) a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act].

CR 9-303
FELONY
20 YEARS
PRELIMINARY HEARING



****RETALIATE-WITNESS-FELONY OFF****

...did intentionally [harm/threaten to harm/damage or destroy property] with the intent of retaliating against ____ (name) [a victim or witness for [giving testimony in an official proceeding/reporting a crime or delinquent act], the offense being a felonious violation of Title 5, or the commission of a crime of violence as described under CR 14-101.

****NOTE:** This applies to conspiracy or solicitation to commit such a crime.

CR 9-305(a)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****INTIMIDATE/INFLUENCE JUROR****

...did by [corrupt means/threat/fiorce] endeavor to [influence/impede] ____ (name), a [juror/witness/court officer], in the discharge of [his/her] official duty.

CR 9-305(a)
FELONY
20 YEARS
PRELIMINARY HEARING



****INTIMIDATE/INFLUENCE JUROR-FELONY OFF****

.....did by [corrupt means/threat/force] endeavor to
[influence/impede] _____ (name), a [juror/witness/court officer],
in the discharge of [his/her] official duty, the offense being [a
felonious violation of Title 5/the commission of a crime of
violence as described under CR 14-101.

****NOTE:** This applies to conspiracy or solicitation to commit
such a crime.

CR 9-305(b)
MISDEMEANOR
\$5,000.00 - 5 YEARS



****SOLICIT INTIMIDATE JUROR****

...did solicit _____ (name) to, by [corrupt
means/threat/force], try to [influence/ intimidate/impede]
_____ (name), a [juror/witness/ court officer], in the discharge
of [his/her] duty.

CR 9-305(b)
FELONY
20 YEARS
PRELIMINARY HEARING



****SOLICIT INTIMIDATE JUROR-FELONY OFF****

...did solicit _____ (name) to, by [threat/force/corrupt
means] try to [influence/intimidate/impede] _____ (name), a
[juror/witness/ court officer], in the discharge of [his/her] duty,
in connection with a proceeding involving [a felonious
violation of Title 4/a crime of violence as described under CR
14-101].

****NOTE:** This applies to a conspiracy or solicitation to commit such a crime.

CR 9-306
MISDEMEANOR
\$10,000.00 - 5 YEARS



****OBSTRUCT JUSTICE****

...did, by [corrupt means/threat/force] [obstruct and impede/endeavor to obstruct and impede] the administration of justice in _____ (name court, and case if available).

HARBORING

Fugitive

CR 9-402
MISDEMEANOR
\$1,000.00 - 1 YEAR



****HARBOR/FLEEING FELON****

...did knowingly harbor _____, a fugitive, with the intent to prevent [his/her] discovery and arrest, after notice that harboring that person was a punishable offense, and after notice that a felony warrant had been issued for that person's arrest.

CR 9-402(c)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****HARBOR FELON/FUGITIVE****

...did knowingly harbor _____, a person avoiding [prosecution for/custody and confinement after conviction of] a felony.

NOTE: "Fugitive" means an individual for whose arrest a felony warrant has been issued. This section does not apply when the warrant is for a traffic offense.

NOTE: Required Notification: That a felony warrant has been issued for the arrest of the fugitive and that harboring a fugitive is a crime.

ESCAPE AND CONTRABAND IN PLACES OF CONFINEMENT

NOTE: CR 9-401 – DEFINITIONS

“PLACE OF CONFINEMENT”

- (i) A correctional facility;
- (ii) A facility of the Department of Health and Mental Hygiene;
- (iii) Any other facility in which a person is confined under color of law.

“CORRECTIONAL FACILITY” means:

A facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.

A "Place of Confinement" does not include:

- (i) A detention center for juveniles;
- (ii) A facility for juveniles listed under Article 83C, 2-117(a)(2) of the code; or
- (iii) a place identified in a juvenile community detention order.

Escaped Prisoner

CR 9-403
MISDEMEANOR
\$1,000.00 - 1 YEAR



****HARBORING-PRISON ESCAPEE****

...did wilfully and knowingly harbor _____, a person imprisoned for a felony, after his escape from the custody of _____ (name facility or place of confinement), knowing and having received notice that the person has escaped and after notice that harboring that person was a punishable offense.

NOTE: "Harbor" includes offering a fugitive :

1. concealment, (hiding, secreting or keeping out of sight);
2. lodging;
3. care after concealment; or
4. obstruction of the efforts of the authorities to effect the arrest of a fugitive.

"Harbor" does not include the failure to reveal the whereabouts of a fugitive by a person who did not assist in the fugitive's efforts to elude arrest.

CR 9-404(a)
FELONY
\$20,000.00 - 10 YEARS
PRELIMINARY HEARING
RELEASE RESTRICTION



****ESCAPE - FIRST DEGREE****

...did knowingly escape from _____, a place of confinement.

NOTE: Flight from courtroom not escape prior to incarceration (Boffen v. State 2003).

CR 9-404(b)
FELONY
\$20,000.00 - 10 YEARS



****1ST DEGREE ESCAPE JUVENILE CONFINEMENT PROGRAM****

...did escape from [____ a detention center for juveniles/____ a facility for juveniles listed in Article 83C ____ a place identified in a juvenile community detention order] and did in the course of the escape commit an assault.

NOTE: See CR 9-401 for place of confinement.

CR 9-405(a)(1)
MISDEMEANOR
\$5,000.00 - 3 YEARS



****ESCAPE - SECOND DEGREE****

...having been lawfully arrested, did knowingly depart from custody at _____, without the authorization of a [law enforcement/judicial] officer.

CR 9-405(a)(2)
MISDEMEANOR
\$5,000.00 - 3 YEARS



****ESCAPE - SECOND DEGREE****

...did knowingly fail to obey a court order to report to _____, a place of confinement.

NOTE: Applies to temporary release or home detention.



CR 9-405(a)(3)(i)(ii)
MISDEMEANOR
\$5,000.00 - 3 YEARS

****ESCAPE - SECOND DEGREE****

...did, while serving a sentence in a home detention program in _____ County, knowingly [violate a restriction on movement/fail to return to _____, a place of confinement].

NOTE: If escape from a detention center for juveniles or a facility for juveniles listed in Article 83C, section 2-117(a)(2) does not involve an assault, the charge of escape in the second degree is appropriate.

NOTE: IN CR 9-410 "PLACE OF CONFINEMENT" DOES NOT INCLUDE A PLACE IDENTIFIED IN A HOME DETENTION ORDER OR AGREEMENT.



CR 9-408(b)
MISDEMEANOR
\$5,000.00 - 3 YEARS

****RESIST/INTERFERE WITH ARREST****

...did intentionally [resist/interfere with] a lawful arrest.

Contraband



CR 9-412(a)(1)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****CONTRABAND DELIVERY****

...did deliver contraband to wit _____ (item) to _____ (person) who was [detained at/confined in] _____ (place of confinement).



CR 9-412(a)(2)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****CONTRABAND POSS W/I DEL****

...did possess contraband to wit _____ (item) with the
intent to deliver to _____ (person) who was
[detained at/confined in] _____ (place of
confinement).



CR 9-413(a)(1)
FELONY
\$5,000.00 - 10 YEARS
PRELIMINARY HEARING

****CONTRABAND - ESCAPE - DELIVER****

...did deliver contraband: to wit _____ (item) to
_____ (person) [detained at/confined in]
_____ (place) with the intent to effect an escape.



CR 9-413(a)(1)
FELONY
\$5,000.00 - 10 YEARS
PRELIMINARY HEARING

****CONTRABAND - ESCAPE - RECEIVE****

...did receive contraband: to wit _____ (item) while
[detained at/confined in] _____ to effect an escape.

CR 9-413(a)(2)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - ESCAPE - POSSESS****

...did possess contraband: to wit _____ (item) with
 the intent to deliver to _____ (person) [detained
 at/confined in] _____ (place) to effect an escape.

CR 9-413(a)(3)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - ESCAPE - CONCEAL****

...did [deposit/conceal] contraband: to wit
 _____ (item) [in/about/on land appurtenant to]
 _____, a place of confinement, to effect an escape.

CR 9-414(a)(1)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - DELIVER WEAPON****

...did deliver a weapon to
 _____ (name)[detained/confined] in
 _____ (place of confinement).

CR 9-414(a)(2)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - POSSESS WEAPON****

...did possess _____ a weapon, with intent to
 deliver to _____ (person) [detained at/confined in]
 _____ (place of confinement).

CR 9-414(a)(3)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - CONCEAL WEAPON****

...did [deposit/conceal] a weapon to wit: _____
 [in/about/on land appurtenant to] a place of confinement, to
 effect an escape.

CR 9-414(a)(4)
 FELONY
 \$5,000.00 - 10 YEARS
 PRELIMINARY HEARING



****CONTRABAND - RECEIVE WEAPON****

...did receive a weapon: to wit _____ while
 [detained at/confined in] _____ (place of
 confinement).

NOTE: For the purpose of this section and the following
 sections "Contraband" is defined as any item, material,
 substance or other thing of value that is not authorized for
 inmate possession or is brought into the correctional facility in
 a prohibited manner.



CR 9-415(b)(1)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****ALCOHOLIC BEV - DELIVER****

...did deliver an alcoholic beverage to wit _____
_____ (item) to _____ (person) who
was [detained at/confined in] _____ (place of
confinement).



CR 9-415(b)(2)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****ALCOHOLIC BEV - POSS W/I DEL****

...did possess an alcoholic beverage to wit _____
(item) with the intent to deliver to _____ (person)
who was [detained at/confined in] _____ (place of
confinement).

NOTE: This subsection does not apply to an alcoholic beverage
delivered or possessed in a manner authorized by the managing
official.



CR 9-416(a)(2)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****CDS -POSS W/I DEL CONFINEMENT****

...did possess controlled dangerous substance to wit _____
_____ (item) with the intent to deliver to
_____ (person) who was [detained at/confined in]
_____ (place of confinement).



CR 9-416(b)(1)
MISDEMEANOR
\$1,000.00 - 3 YEARS

****CDS - DELIVER - CONFINEMENT****

...did deliver a controlled dangerous substance to wit:
_____ (item) to _____ (person) who
was [detained at/confined in] _____ (place of
confinement).

NOTE: A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any offense based on the act establishing the offense under this section.

FALSE STATEMENTS



CR 9-501
MISDEMEANOR
\$500.00 - 6 MONTHS

****FALSE STATEMENT TO OFFICER****

...did make a false [statement/report/complaint] to _____, a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause an investigation or other action to be taken.

To Peace or Police Officer



CR 9-501
MISDEMEANOR
\$500.00 - 6 MONTHS

****FLSE STMNT TO OFFICER CAUSE****

...did cause to be made a false [statement/report/complaint] to _____ (name), a peace officer, knowing the same to be false, with the intent to deceive and with the intent to cause an investigation and other action to be taken.



CR 9-502
MISDEMEANOR
\$500.00 - 6 MONTHS

****FALSE STMT TO PEACE OFFICER****

...did upon arrest, knowingly and with the intent to deceive,
make a false statement to a peace officer concerning [his/her]
[identity/address/date of birth].

NOTE: Peace Officer includes any peace or police officer of
the State, of any county, city or other political subdivision of
the State and of the Maryland National Capital Park and
Planning Police.

To Officials/Agencies of State or Subdivisions



CR 9-503
MISDEMEANOR
\$500.00 - 6 MONTHS

****FALSE STMT STATE OFFICIAL****

...did [make/cause to be made] a false [report/statement] of the
[commission of a crime/existence of a condition imminently
dangerous to public health and safety] to ____ (official/agency),
knowing the same to be false and with the intent that the said
[official/agency] [investigate/consider/take action] in
connection with such [statement/report].

Statement/Rumor As to Destructive Device

CR 9-504(b)
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING



* 1 5 3 0 0 *

****FALSE STMT-DESTRUCTIVE DEV****

...did, knowing the same to be false and with the intent that it be acted upon, circulate and transmit to: _____ (describe other person or persons) a statement and rumor by written word, printed word, word of mouth, and any electronic means concerning the [location and possible detonation of a destructive device / location or possible release of toxic material] as defined in CR 4-501 of this article.

NOTE: An offense under this section committed by the use of a telephone may be deemed to have been committed either at the place at which the telephone call or calls were made, or at the place at which the telephone call or calls were received.

NOTE: This section does not apply to any statement or rumor made or circulated by an officer, employee, or agent of a bona fide civilian defense organization or agency, if made in the regular course of his duties with that organization or agency.

EXPLOSIVES**Devices Representing**

CR 9-505
 FELONY
 \$10,000.00 - 10 YEARS
 PRELIMINARY HEARING

****PHONEY DEST DEVICE****

...did [manufacture/ possess/ transport or place] a device constructed to represent a destructive device with the intent to [terrorize/ frighten/ intimidate/ threaten or harass] _____ (name or describe victim or victims).

NOTE: See CR 9-501 for definitions of "Destructive Device."

MD Higher Education Commission

CR 9-506
 MISDEMEANOR
 \$5,000.00 - 1 YEAR

****FALSE STMT MD HIGH ED CO****

...did knowingly and wilfully [falsify/conceal] a material fact in connection with an application for funds from the Maryland Higher Education Commission.

INTERFERENCE WITH EMERGENCY COMMUNICATION

CR 9-601(b)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS

****EMER RADIO TRANSM; IMPEDE****

...did knowingly, intentionally and recklessly
 [interrupt/disrupt/impede/otherwise interfere with] the
 transmission of a two-way radio communication on a frequency
 commonly [used/monitored] by [civilian/governmental]
 emergency services organizations for the purpose of informing
 and inquiring about emergencies.

CR 9-601(b)(2)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS

****EMER.RADIO TRANSMIT FALSE****

...did transmit false information about an emergency on a two-
 way radio frequency commonly [used/monitored] by
 [civilian/governmental] emergency services organizations for
 the purpose of informing or inquiring about emergencies.

NOTE: In this section, "emergency" means a condition or
 circumstance in which an individual is or is reasonably believed
 by the person transmitting the communication to be in
 imminent danger of death or serious bodily harm, or in which
 property is in imminent danger or damage or destruction.

FIRE-FALSE ALARM**Prohibited; False Ambulance**

CR 9-604(a)(1)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****FALSE ALARM/FIRE: CAUSE****

...did knowingly [give/cause to be given] a false alarm of fire
 by _____ (describe how false alarm given).

CR 9-604(a)(2)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****FALSE ALARM/AMBULANC CAUSE****

...did knowingly [make/cause to be given] a false call for an
 [ambulance/rescue squad] by _____ (describe how false call
 made).

BURGLARY & ROBBERY - FALSE ALARM**Alarm - Non-emergency**

CR 9-608
 MISDEMEANOR
 \$500.00 - 90 DAYS

****INTENTIONAL FLSALARM/BURG-ROB****

...did intentionally activate a burglary and robbery alarm signal
 for a non-emergency situation.

NOTE: The alarm signal referred to in this section must be one that activates an alarm system calling for an immediate response by a law enforcement agency to an emergency situation. This does not include 911 calls, or fire alarms (CR 9-608 and CR 9-604). If in doubt, refer to the definitions for this section, found in (CR 9-607).

Defective Alarm System

CR 9-610(c)
MISDEMEANOR
\$500.00 - 90 DAYS



****DEFECTIVE ALARM/CONT. USE****

...did, being an alarm user, after written notice by a law enforcement agency, to wit: _____ (name agency) continue to use a defective alarm system at _____ (location).

NOTE: A Law Enforcement Agency or Fire Department may issue a civil citation to an alarm user, if the number of false alarms to which a law enforcement agency actually responds exceeds 3 responses within a 30-day period, or 8 or more responses within a 12-month period. This type citation should not be done before a commissioner.

NOTE: An alarm system is defective if it gives more than 3 false alarms within a 30-day period, or 8 or more false alarms within a 12-month period. AFTER NOTICE BY A LAW ENFORCEMENT AGENCY, an alarm system user has 30 days to have the system inspected, and 15 more days to file a written report containing actions taken or recommendations for actions to be taken. If within this 45-day period, or if the alarm user's written report contained recommendations for actions to be taken, consult the State's Attorney's Office before issuing a charging document, or refer the complainant to the State's Attorney.



CR 9-802
MISDEMEANOR
\$1,000.00 - 2 YEARS

****THREAT/SOLICIT CRIMINAL GANG****

...did threaten ____ (name), [an individual/friend/family member of an individual], with physical violence with intent to [coerce/induce/solicit] ____ (name) [to participate in/to prevent ____ (name) from leaving], _____ a criminal gang.



CR 9-803
MISDEMEANOR
\$4,000.00 - 4 YEARS

****THREAT/SOL GANG - SCHOOL****

...did threaten ____ (name), [an individual/friend/family member of an individual], with physical violence with intent to [coerce/induce/solicit] ____ (name) [to participate in/to prevent ____ (name) from leaving], ____ a criminal gang, while [in/on a school vehicle as defined under TR 11-154] [in, on or within 1,000 feet of real property owned by or leased to _____, [an elementary school/secondary school/county board of education] used for educational purposes.

Venereal Disease Remedies Advertising Cures



CR 10-102(b)(1)(2)
MISDEMEANOR
\$500.00 - EACH
VIOLATION

****HEALTH ADVERTIS V/D REMEDY****

...did advertise and permit to be advertised ____, [a medication and substance/a person from whom a medication and substance could be obtained/a place at which a medication and substance could be obtained] for the treatment and cure of a venereal disease, to wit: ____ (name disease).

NOTE: This section excepts from its coverage health departments, governmental agencies, news stories, etc. The statute should be checked for probable cause purposes, to make certain defendant is not exempt.

Venereal Disease Remedies Sale, Etc., of Remedies

CR 10-103(b)
MISDEMEANOR
\$50.00 FIRST OFFENSE
\$250.00 SUBSEQUENT
OFFENSE



****VD REMEDY DISP W/O CREDEN****

...did [sell/dispense/give] to ____ (name) ____ (substance given) for the purpose of treating, curing, and alleviating ____ (venereal disease), the defendant not being a [doctor/a health department/ other governmental agency].

CR 10-103(b)
MISDEMEANOR
\$50.00 FIRST OFFENSE
\$250.00 SUBSEQUENT
OFFENSE



****VD REMEDY DISP W/O PRESCR****

...did [sell/dispense/give] to ____, without a prescription issued by a licensed physician, ____, a sulfonamide drug or preparation, for the purpose of treating, curing, and alleviating ____ (venereal disease).

Health - Condom Sale

CR 10-104
MISDEMEANOR
\$1,000.00

****CONDOM-SALE VENDING MACH****

...did unlawfully [sell/offer to sell] a nonlatex condom by means of a [vending machine/other automatic device].

NOTE: Each vending machine or other automatic device constitutes a separate offense.

CLOVE CIGARETTES**Clove Cigarettes Sale Prohibited**

CR 10-106
MISDEMEANOR
\$500.00

****SALE CLOVE CIGARETTES****

...did [sell/offer for sale] a clove cigarette to ____ (name).

Tobacco Products Sales to Minors

CR 10-107(b)(2)
 MISDEMEANOR
 1ST OFF: \$300.00
 2ND OFF WITHIN 2 YR OF
 1ST - \$1,000.00
 3RD SUB. OFF: WITHIN 2
 YR OF PREVIOUS -
 \$3,000.00

****TOBACCO PRODS - MINORS****

...did, while engaged in the business of [selling/distributing]
 tobacco products for commercial purposes, distribute [a tobacco
 product, to wit: ____/cigarette rolling papers/a coupon
 redeemable for a tobacco product, to wit: ____] to a minor, to
 wit: ____ (name).

NOTE: There is an exception if the minor is acting solely as an
 agent of an employer who is in the tobacco business.

CR 10-107(c)(1)
 MISDEMEANOR
 1ST OFF: \$300.00
 2ND OFF WITHIN 2 YR OF
 1ST - \$1,000.00
 3RD SUB. OFF: WITHIN 2
 YR OF PREVIOUS -
 \$3,000.00

****TOBACCO PURCH/SELL MINOR****

...did [purchase for ____/sell to ____], a minor, ____ (describe
 tobacco product).

CR 10-107(c)(2)
 MISDEMEANOR
 1ST OFF: \$300.00
 2ND OFF WITHIN 2 YR OF
 1ST - \$1,000.00
 3RD SUB. OFF: WITHIN 2
 YRS OF PREVIOUS -
 \$3,000.00



****CIGARETTE PAPER TO MINOR****

...did [deliver to ____ /sell to ____], a minor, cigarette rolling papers

.NOTE: This section does not apply to coupons contained in a newspaper, a magazine, or any other type of publication in which the coupon is incidental to the primary purpose of the publication or sent through the mail.

NOTE: A minor who uses or possess any tobacco product or cigarette rolling paper or uses any falsified identification or any identification other than his/her own for the purpose of obtaining or attempting to obtain tobacco products or cigarette rolling papers will be in violation of a civil offense. A law enforcement officer authorized to make arrests, shall issue a citation to a child if the officer has probable cause to believe the child is violating this law.

ICEBOXES

Abandoned & Discarded

CR 10-109
 MISDEMEANOR
 \$100.00 - 30 DAYS



****ICEBOXES-ABANDONED****

...did [place/permit to be placed] outside ____ (address) in a place accessible to children, an abandoned, discarded, and uncrated [icebox/refrigerator/freezer cabinet] having a door with a lock incapable of being released from inside said [icebox/ refrigerator/freezer cabinet].

CR 10-110
MISDEMEANOR
\$10,000.00 - 1 YEAR



****CAUSE LITTER/DUMP: OVER 100 LBS****

...did unlawfully cause the dumping, depositing, throwing, and leaving of litter on and at _____ (address or description of premises or waters), said litter exceeding [100 lbs. in weight/27 cubic feet in volume]. (See note).

CR 10-110
MISDEMEANOR
\$10,000.00 - 1 YEAR



****LITTER/DUMP: OVER 100 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter exceeding [100 lbs in weight/27 cubic feet in volume]. (See note).

NOTE: Under CR 10-110 use the appropriate wording if the litter exceeds only one of the two limits, weight or volume. If the litter exceeds both limits, use both wordings joined by the word "and."

CR 10-110
MISDEMEANOR
\$25,000.00 - 5 YEARS



****LITTER/DUMP: OVER 500 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter [exceeding 500 lbs in weight/exceeding 216 cubic feet in volume/being for commercial purposes].

NOTE: Under CR 10-110, Litter Dump: 500 lbs., do not use weight or volume descriptions if the litter is for commercial purposes. If the litter exceeds both weight and volume standards, not for commercial purposes, use both wordings joined by the word "and".

CR 10-110(c)
MISDEMEANOR
\$1,000.00 - 30 DAYS



****LITTER/DUMP: UNDER 100 LBS****

...did unlawfully dump, deposit, throw, and leave litter on and at _____ (address or description of premises or waters), said litter not exceeding 100 lbs in weight and 27 cubic feet in volume.

CR 10-110(c)
MISDEMEANOR
\$1,000.00 - 30 DAYS



****CAUSE LITTER/DUMP: L/T 100 LBS****

...did unlawfully cause the dumping, depositing, throwing, and leaving of litter on and at _____ (address or description of premises or waters), said litter not exceeding 100 lbs. in weight and 27 cubic feet in volume.

NOTE: If the litter exceeds either the weight or volume limit, use the appropriate charge for over 100 lbs.

CR 10-111(b)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR
 *SUBSEQUENT
 VIOLATION \$5,000.00 –
 3 YEARS



****ALTER DRUG/ALCOHOL TEST****

...did intend to defraud alter the outcome of a [drug/alcohol] screening test by_____.

Select from list:

- Alter bodily fluid sample;
- Substitute a bodily fluid sample in whole or in part, with a bodily fluid sample of another person or animal; or any other substance;
- Possess or use a bodily fluid adulterant;
- Sell, distribute, or offer to sell or distribute;
- Any bodily fluid from a human or any animal; or
Any bodily fluid adulterant; or
- Transport into the State:
Any bodily fluid adulterant; or
Any bodily fluid from a human or any animal

Alcohol - Open Container

CR 10-120
 MISDEMEANOR
 \$50.00



****FAIL: PROOF OF AGE AND ID****

...did fail and refuse to furnish proof of identification and age to an officer issuing a citation for a violation of _____ (Sec. 10-113, through 10-119 of CR, or Sec. 26-103 of the Education Article), said officer having requested proof of identification and age.

DISTURBANCE OF THE PUBLIC PEACE & DISORDERLY CONDUCT

CR 10-201(c)(1)
 MISDEMEANOR
 \$500.00 - 60 DAYS

****DISTURB PEACE HINDER PASSG****

...did willfully obstruct and hinder the free passage of another
 and others in a public place or on a public conveyance.

CR 10-201(c)(2)
 MISDEMEANOR
 \$500.00 - 60 DAYS

****DISORDERLY CONDUCT****

...did wilfully act in a disorderly manner to the disturbance of
 the public peace

CR 10-201(c)(3)
 MISDEMEANOR
 \$500.00 - 60 DAYS

****FAIL OBEY RENBLE/LAWFL****

...did wilfully fail to obey a reasonable and lawful order of a
 law enforcement officer, to wit, _____, made to prevent a
 disturbance to the public peace.

CR 10-201(c)(4)
 MISDEMEANOR
 \$500.00 - 60 DAYS

****DISTURB THE PEACE****

...did enter the land, premises, and beach of ____ (name), and
 did wilfully disturb the peace of persons thereon by
 unreasonably loud noise and did act in a disorderly manner



CR 10-201(c)(5)
MISDEMEANOR
\$500.00 - 60 DAYS

****DISTURB PEACE - LOUD NOISE****

...did unlawfully, by unreasonably loud noise willfully disturb the peace of another [on the other's land and premises/in a place of business/in a public place/on a public conveyance].

NOTE: CR 10-201(c)(5) is intended to prohibit defendants making noise in one location, no matter where, that disturbs persons in another location. It is NOT intended to apply to residents or a resident of a location who is/are disturbing other residents of the same location.

Non-residents who are on the same premises as the person(s) disturbed should be charged under CR 10-201(c)(5).

NOTE: CR 10-201(5)(6) states that in Worcester County a person may not build or allow to burn a bonfire on any beach or other property between the hours of 1 a.m. and 5 a.m..

Keeping Disorderly House

CR 10-202
MISDEMEANOR
\$300.00 - 6 MONTHS



****DISORDERLY HOUSE****

...did keep a disorderly house, to wit: _____ (address), by _____ (describe method in which house was disorderly, see notes under statute).

NOTE: "House" in this section can be a room, place of business, tent, wagon, boat, etc.

NOTE: See the notes under the Statute for the definition of a disorderly house."

INTERFERENCE IN ATHLETIC EVENTS

Throwing/Projecting Objects

CR 10-203(b)
MISDEMEANOR
\$250.00 - 3 MONTHS



****DISRUPT-ATHLETIC CONTESTS****

...did [disrupt/interfere with] _____ (describe event) by
[throwing/projecting] _____ (describe what was thrown or
projected) onto the [playing/seating] area.

NOTE: The athletic contest must be a commercial one; that is, one that is played in public stadiums, arenas, etc. and that charges an admission fee for the general public. "Object" is defined as any item which may cause injury to a participant in the contest, or an observer thereof.

Interference to/from Medical Facility

CR 10-204(c)
MISDEMEANOR
\$1,000.00 - 90 DAYS



****INTERFER TO/FROM MED FACIL****

...did act with the intent to prevent with the intent to prevent an individual, to wit: _____ (name or description)] from entering and exiting _____ (name and/or address) a medical facility, by physically [detaining/obstructing, hindering and impeding the passage of] that individual.

NOTE: "Action" does not include speech.

NOTE: "Medical Facility" includes an agency, clinic, or office operated under the direction of the local health officer or the regulatory authority of the Department of Health and Mental Hygiene. For a fuller definition of Medical Facility, see Health General Art., Sec. 10-101(e) and Sec. 19-101(e).

RELIGIOUS AND ETHNIC CRIMES

Deface, Etc. Religious Property; Obstruct, Etc. Religious Beliefs; Harass/Commit a Crime Upon Person For Ethnic Reasons, Etc.

CR 10-301
PENALTY SEC. CR 10-305
MISDEMEANOR
\$5,000.00 - 3 YEARS
*SEE NOTE RELATED
OFFENSE



****RELIGIOUS PROPERTY: DEFACE***

...[did/attempted to] unlawfully deface, damage, and destroy religious property to wit: _____ (name or describe real or personal property) [owned/leased/used] by _____ (name), a religious organization.

CR 10-301
PENALTY SEC. CR 10-305
MISDEMEANOR
\$5,000.00 - 3 YEARS
*SEE NOTE RELATED
OFFENSE



****RACIAL DAMAGE PROP ANIMOS****

...[did/attempted to] unlawfully [deface, damage, and destroy/burn an object to wit: _____, on] the [real/personal] property of _____, an institution, where there is evidence that exhibits animosity on the part of the person committing the act against a [person/group] because of that person's/group's race, color, religious beliefs, national origin, sexual orientation.

CR 10-302
 PENALTY SEC. CR10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE-SEPARATE
 CRIME ENHANCED



****REL BEL: OBSTRUCT EXERCISE****

...[did/attempted to] unlawfully obstruct by force and threat of force _____ (victim) in the free exercise of his religious beliefs.

CR 10-303
 PENALTY SEC. CR10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE - SEPARATE
 CRIME ENHANCED



****RACE/RELIG HARAS: PERSON****

...did unlawfully [harass/commit a crime upon, to wit: _____/damage the [real/personal] property of] _____ (victim) because of said victim's race, color, religious beliefs, national origin, sexual orientation.

CR 10-303(3)
 PENALTY SEC. CR10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE - SEPARATE
 CRIME ENHANCED



****RACE/RELIG PROP DAMAGE: PERSON****

...[did/attempted to] unlawfully [damage, deface, and destroy/burn an object, to wit: _____ upon] the [real/personal] property of _____ (victim) because of said victim's race, color, religious beliefs, national origin, sexual orientation.

CR 10-304
 PENALTY SEC. CR10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE - SEPARATE
 CRIME ENHANCED



****RACE/RELIG PROP DAMAGE: INST****

...[did/attempted to] unlawfully [damage, deface, and
 destroy/burn an object, to wit: ____ upon] the [real/personal]
 property of _____, an institution, because of said institution's
 contacts and associations with a [person/group] of a particular
 race, color, religious belief, national origin, sexual orientation.

CR 10-304(1)
 PENALTY SEC. CR 10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE - SEPARATE
 CRIME ENHANCED



****RACE/RELIG HARAS: INSTITUTE****

...did unlawfully [harass/commit a crime upon, to wit:
 ____/damage the [real/personal] property of] ____ (victim
 institution) because of said institution's contacts and
 associations with a [person/group] of a particular race, color,
 religious belief, national origin, sexual orientation.

CR 10-304(2)
 PENALTY SEC. CR10-305
 MISDEMEANOR
 \$5,000.00 - 3 YEARS
 *SEE NOTE - SEPARATE
 CRIME ENHANCED



****RACE/RELIG HARAS: ANIMOS: INST****

...did unlawfully [harass/commit a crime upon, to wit:
 ____/damage the [real/personal] property of] ____ (victim
 institution) where there is evidence of animosity on defendant's
 part against a [person/group] because of said [person's/group's]
 race, color, religious beliefs, national origin, sexual orientation.

REMOVAL OF HUMAN REMAINS FROM BURIAL SITES

CR 10-402
 MISDEMEANOR
 \$10,000.00 - 5 YEARS



****REMOVE HUMAN REMAINS****

...did [remove / attempt to remove] human remains from a
 burial site in the State.

*See section for exceptions.

GRAVE YARD DESECRATION

CR 10-404(a)(1)
 MISDEMEANOR
 \$10,000 - 5 YEARS



****DESTROY FUNERARY OBJECT****

...did [destroy/mutilate, deface, and injure/remove] a [structure
 / associated funerary object], to wit: ____ (identify structure)
 placed in _____ cemetery.

NOTE: This section covers any wall, building, fence, railing, tombstone, vault, monument, or other structure placed in a cemetery for any purpose.

CR 10-404(b)
MISDEMEANOR
\$500.00 - 2 YEARS



****DESTROY GRAVEYARD PLANTS****

...did unlawfully [destroy, cut, and break/remove] a vegetation, to wit: _____, in _____ cemetery.

NOTE: This section covers all plantings within graveyards and cemeteries.

CR 10-404(c)
MISDEMEANOR
\$500.00 - 2 YEARS



****DIS CONDUCT-CEMETERY****

...did commit [indecent/disorderly] conduct, to wit: _____ (describe conduct) within the limits of _____ cemetery.

BIGAMY

CR 10-501
MISDEMEANOR
\$10.00



****ADULTERY****

...did commit adultery with _____ (name).

CR 10-502
FELONY
9 YEARS
PRELIMINARY HEARING



****BIGAMY****

...did, having a [wife/husband] then living, feloniously marry
_____ (name) in violation of CR 10-502 of the Annotated
Code of Maryland.

NOTE: The statute applies to husbands as well as wives. This section does not apply to an individual whose lawful spouse has been absent from the individual for a continuous period of seven years and who, at the time of subsequent marriage ceremony, does not know whether the spouse is living.

Cruelty to Animals

CR 10-604(4)(i)
MISDEMEANOR
\$1,000.00 - 90 DAYS



****ANIMAL CRUELTY: INFLICT****

...did inflict unnecessary suffering and pain upon
_____ (type of animal) in his charge and custody.

CRUELTY TO ANIMALS

CR 10-604(a)(1)(2)
MISDEMEANOR
\$1,000.00 - 90 DAYS



****ANIMAL CRUELTY****

...did [overdrive/overload/deprive of necessary sustenance] a
_____ (type of animal).



CR 10-604(a)(3)
MISDEMEANOR
\$1,000.00 - 90 DAYS

****ANIMAL CRUELTY- CAUSE****

...did unlawfully cause, procure, and authorize the
[overdrive/overload/deprivation of necessary sustenance] of
_____ (type of animal).



CR 10-604(a)(4)(ii)
MISDEMEANOR
\$1,000.00 - 90 DAYS

****ANIMAL CRUEL FAIL: PROVIDE****

...did unnecessarily fail to provide _____ (type of
animal) with [nutritious food in sufficient quantity/necessary
veterinary care/proper drink/air/space/ shelter/ protection from
weather] while said animal was in his charge and custody.



CR 10-605
MISDEMEANOR
\$1,000.00 - 90 DAYS

****DOGFIGHT SPECTATOR****

...did knowingly attend a deliberately conducted dogfight as a
spectator.



CR 10-605(b)
MISDEMEANOR
\$1,000.00 - 90 DAYS

****COCKFIGHT - SPECTATOR****

...did knowingly attend an event using fowl, cock or other bird
to fight with another fowl, cock or other bird.

CR 10-606(1)(2)
 FELONY
 DISTRICT COURT
 \$5,000.00 - 3 YEARS



****MUTILATE ANIMAL****

...did [intentionally mutilate/cause, procure, and authorize the intentional mutilation of /cause, procure, and authorize the intentional torture of/cause, procure, and authorize the intentional cruel beating of/ cause, procure, and authorize the cruel killing of] an animal, to wit: _____.

CR 10-606(a)(3)
 FELONY
 DISTRICT COURT
 \$5,000.00 - 3 YEARS



****HARM/DEATH: LAW ENFOR. ANIMAL****

...did intentionally inflict [bodily harm/disability/death] on an animal used by a law enforcement unit, to wit:

_____.

NOTE: The intention of the General Assembly is that this section applies to all animals:

Privately owned; strays; domesticated; feral; farm animals; corporately or institutionally owner; in privately, locally, state, or federally funded scientific or medical activities; or otherwise located in the state.

NOTE: See CR 10-606(a)(3) for exemption.

NOTE: Exclusive jurisdiction of District Court.

CR 10-607(a)(1)(2)
FELONY
DISTRICT COURT
\$5,000.00 - 3 YEARS



****ANIMAL CRUEL: DOG FIGHTING****

...did [use a dog/allow to be used/arranged for a dog to be used/contact to be used] in a dogfight.

CR 10-607(a)(3)
FELONY
\$5,000.00 - 3 YEARS
DISTRICT COURT



****POSS/TRAIN DOG FOR DOGFIGHT****

...did [possess/own/sell/transport] a dog with the intent to use the dog in a dogfight.

CR 10-607(a)(4)
FELONY
\$5,000.00 - 3 YEARS
DISTRICT COURT



****PROVIDE PREMISES FOR DOGFIGHT****

...did knowingly allow premises [owned by/in care of/controlled by] _____ (defendant) to be used to conduct a dogfight.

CR 10-608
FELONY
DISTRICT COURT
\$5,000.00 - 3 YEARS



****ANIMAL CRUEL: COCKFIGHTING****

...did [use/allow to be used] a [bird/fowl/cock] for the purpose of fighting with another animal, commonly known as cockfighting.

CR 10-608(b)(2)
FELONY
\$5,000.00 - 3 YEARS
DISTRICT COURT



****POSSESS COCKFIGHT IMPLEMENT****

...did possess with the intent to use a [gaff/slasher/postiza/sparring muff/any sharp implement] designed to be attached in place of a natural spur of a gamecock or other fighting bird.

Giving Away Live Animal, Etc.

CR 10-610
MISDEMEANOR
\$500.00



****ANIMAL-GIFT AS PRIZE ETC.****

...did, without the approval of the Secretary of Agriculture, give away a live [animal/equine/bird], to wit: _____, as a [prize/inducement to enter a [contest/game/competition]/inducement to enter _____, a place of amusement/incentive to enter _____, a business establishment], for the purpose of attracting trade.

NOTE: This section does not apply if the animal, equine or bird is given as an agricultural project or for conservation purposes, or is intended for slaughter.

Abandon Domestic Animal

CR 10-612
MISDEMEANOR
\$100.00



****ANIMAL-ABANDON****

...did, being the owner, possessor, and custodian of a domestic animal, to wit: _____ (name animal), intentionally abandon the said animal.

Sale, etc. - Puppies & Kittens

CR 10-613(b)(1)
MISDEMEANOR
\$500.00



****ANIMAL-SELL PUPPY/KITTEN****

...did [sell/distribute in Maryland/bring into Maryland for purposes of [sale/distribution] a domestic [dog/cat] under the age of 8 weeks, without being accompanied by its dam.

NOTE: This section does not apply to animals used by biomedical facilities licensed by the U.S. Department of Agriculture, and animals which are accompanied by a licensed veterinarian's signed statement that the dam is incapacitated for humane or medical reasons and cannot care for her offspring.

CR 10-618
MISDEMEANOR
\$100.00



****CRUELTY-POISN/BRKN GLAS DG****

...did wilfully and maliciously administer [poison/ground glass] to a dog, intending that said dog would take and swallow such substance.

Poison/Ground Glass to Dogs

CR 10-618
MISDEMEANOR
\$100.00



****CRUELTY-LEAVE POISON/GRND GLAS****

...did wilfully and maliciously expose [poison/ground glass] with the intent that a dog take and swallow the said substance.

Dangerous Dogs Restraining Restrictions

CR 10-619(d)(1)
MISDEMEANOR
\$2,500.00



****DANGEROUS DOG FAIL CONFINE****

...did, being then and there the owner of a dangerous dog, leave such dog unattended on [his/her/its] real property without confining such dog in a structure designed to restrain the dog.

CR 10-619(d)(2)
MISDEMEANOR
\$2,500.00



****DANGER.DOG FAIL RESTRAIN****

...did, being then and there the owner of a dangerous dog, permit such dog to go beyond [his/her/its] real property without being securely restrained and muzzled.

CR 10-619(e)
MISDEMEANOR
\$2,500.00



****DANGER. DOG SELL W/O WARN****

...did, being then and there the owner of a [dangerous/potentially dangerous] dog, [sell/give] such dog to _____, without providing written notice to the person taking possession of such dog specifying the dog's dangerous behavior.

CR 10-619(e)(1)
MISDEMEANOR
\$2,500.00



****DANGER.DOG SELL W/O NOTIC****

...did, being then and there the owner of a dog which having been determined by _____ (name of agency or authority) to be a potentially dangerous dog, [sell/give] such dog to another person, without providing written notice to the aforesaid [agency/authority] of the name and address of the new owner of the dog.

NOTE: The provisions of this section do not apply to a dog owned by and working for a governmental or law enforcement agency.

NOTE: The definition of a dangerous dog in CR 10-619 is one that has killed or severely injured a person, or has been declared potentially dangerous by the appropriate authority and has then bitten a person, attacked without provocation, or has killed or inflicted severe injury upon another domestic animal off the owner's property. For an owner to be charged under CR 10-619 concerning a potentially dangerous dog, there must have been notification to the owner by the appropriate County or Municipal authority that the dog has been determined to be potentially dangerous.

Injury-Race or Show Horse, Etc.

CR 10-620(1)
FELONY
DISTRICT COURT
3 YEARS



* 5 7 1 9 9 *

****CRUELTY-RACE/SHOW HORSE****

...did wilfully and maliciously interfere with, injure, destroy, and tamper with a horse used for racing, breeding, and competitive exhibition, to wit: _____ (name or describe horse).

CR 10-620(2)
FELONY
DISTRICT COURT
3 YEARS



****INJURE ETC RACE/BRED HORSE****

...did wilfully and maliciously set on foot, instigate, engage in, and further an act, to wit: _____ (describe act) by which _____ (name or describe horse), a horse used for racing, breeding, and competitive exhibition was interfered and tampered with, injured, and destroyed.

NOTE: Ownership of the victim horse may be by defendant or any other person, persons, corporation, etc.

Sale-Fox or Skunk/Household Pet

CR 10-621(b)
MISDEMEANOR
\$1,000.00 (INDIVIDUAL)
\$10,000.00** (BUSINESS)



****SALE-FOX OR SKUNK/AS PET****

...did [import into Maryland/offer] for [sale/trade/barter/exchange], as a household pet, a live [fox/skunk/raccoon/bear/alligator/crocodile/member of the cat family other than a domestic cat/poisonous snake specifically in the family groups of hydrophidae, elapidae, viperidae, or crocolidae].

NOTE: Does not apply in case offer is to a public zoo, park museum, educational institution, or to a person holding valid State permits. Also exempt are those species of wildlife not being kept as household pets and which are individually exempted by a permit issued by the Department of Natural Resources.

DESECRATION OF THE NATIONAL OR STATE FLAG

Desecration of Flag

CR 10-704
MISDEMEANOR
\$1,000.00 - 1 YEAR



****DESECRATE FLAG****

...did intentionally [mutilate/deface/destroy/burn/trample upon/otherwise use] a flag in a manner intended to incite and produce an imminent breach of the peace, under circumstances likely to incite and produce an imminent breach of the peace.

NOTE: "Flag" includes any flag, standard, color ensign or shield made of any substance or represented or produced thereon and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States or of this State.

NUDITY AND SEXUAL DISPLAYS

CR 11-102
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****SEX DISPLAYS-SELL TO MINRS****

...did knowingly [sell/offer to sell] to ____, a minor, a ____ (describe object) depicting ____ (describe what it shows).

NOTE: This section applies to pictures, drawings, photos, films, cd roms or any other visual representations of prohibited subject matter, and to any books, magazines, stories, publications, or any other writings or printing of prohibited subject matters.

Prohibited matters are sadomasochistic abuse, sexual conduct, and sexual excitement. See the definitions in CR 11-101.

Exhibition of Motion Pictures of Presentations to Minors

CR 11-103(b)(1)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS

****SEX DISPLY: MINR FOR PRICE****

...did knowingly exhibit for _____ (name monetary or other valuable consideration or service) to _____ (name), a minor unaccompanied by [his/her] [parent/guardian] a [motion picture/live/animated/ [other]] presentation depicting _____ (see note) to wit: _____ (name or describe motion picture or other show).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

CR 11-103(b)(2)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS

****SEX DIS. SELL MINOR TICKET****

...did knowingly sell to _____, a minor unaccompanied by [parent/ guardian] a ticket to _____, depicting _____ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other visual representation or show depicting sexual conduct, sexual excitement, or sadomasochistic abuse as defined in CR 11-101 is covered by this section.

CR 11-103(b)(3)
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS



****SEX DISPLAY: ADMIT MINOR****

...did knowingly admit _____, a minor unaccompanied by
 [parent/ guardian] to _____, depicting _____ (see note).

NOTE: Any live, motion picture, animated, cd rom, or other
 visual representation or show depicting sexual conduct, sexual
 excitement, or sadomasochistic abuse as defined in CR 11-101
 is covered by this section.

Permitting Minor Enter/Remain on Certain Premises

CR 11-104
 MISDEMEANOR
 \$1,000.00 - 6 MONTHS



****SEX DISP MINR RET ESTABLMT****

...did knowingly permit _____, a minor unaccompanied by
 his/her [parent/guardian], to enter into and remain at _____
 (name and address of premises), a retail establishment, at which
 there was displayed _____ (state thing) depicting [sexual
 conduct/sadomasochistic abuse, etc.].

NOTE: Section applies to owner, operators, and employees of
 the retail establishment, but not to persons on the premises who
 have no authority over the establishment.

CR 11-105(b)
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****SEX DISPLAY PERMIT ON PREM****

...did knowingly permit the display of a _____ [picture/photo/
drawing/verbal description/narrative account] depicting _____
[sodomasochistic abuse/sexual conduct/sexual excitement] on
premises [owned/rented/managed] by defendant.

CR 11-105(b)(1)(2)(3)
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****SEX DIS/ADVERTISMNT PURPOS****

...did knowingly display for advertising purposes a _____
[picture/ photo/drawing/verbal description/narrative account]
depicting _____ [sodomasochistic abuse/sexual conduct/sexual
excitement].

INDECENT EXPOSURE

CR 11-107
MISDEMEANOR
\$1,000.00 - 3 YEARS



****INDECENT EXPOSURE****

...did indecently expose [his/her] person [in a public place, to
wit: _____/ to _____ (victim)].

See note.

NOTE: The common law crime of indecent exposure refers to the deliberate exposure to breasts, buttocks, or genitals. This can occur in two ways, in a public place with members of the public present, or deliberately to an unconsenting victim (as in what is commonly called a "flasher.") In order for probable cause to be found for indecent exposure in a public place, there should be some factual indication that members of the public were within sight of the act. In order for probable cause to be found for indecent exposure to a named victim, the facts must indicate a deliberate act of exposure done with the intent that an unconsenting victim would see.

OBSCENE MATTER

Sending/Bringing into State for Sale, etc., Within State

CR 11-202(a)(1)
MISDEMEANOR
FIRST OFFENSE
\$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
\$5,000.00 - 3 YEARS



* 1 3 7 0 5 *

****OBSCENE MAT/SALE CAUSE/SND****

...did knowingly [send/cause to be sent] into this State for sale or distribution _____, obscene matter.

CR 11-202(a)(2)
MISDEMEANOR
FIRST OFFENSE
\$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
\$5,000.00 - 3 YEARS



* 1 0 2 9 4 *

****OBSCENE MAT/SAL CAUS/BRING****

...did knowingly bring and cause to be brought into this State for sale and distribution _____, obscene matter.

CR 11-202(a)(3)
 MISDEMEANOR
 FIRST OFFENSE
 \$1,000.00 - 1 YEAR
 SUBSEQUENT OFFENSE
 \$5,000.00 - 3 YEARS



****OBSCENE MAT/PUBLISH/DISTRIB****

...did, in this State, knowingly prepare, publish, print, exhibit, distribute and offer to distribute _____, obscene matter.

CR 11-202(a)(4)
 MISDEMEANOR
 FIRST OFFENSE
 \$1,000.00 - 1 YEAR
 SUBSEQUENT OFFENSE
 \$5,000.00 - 3 YEARS



****OBSCENE MAT/POSS W/IN DIST****

...did, in this State, knowingly have in his possession with intent to [distribute/exhibit/offer to distribute] _____, obscene matter.

NOTE: In CR 11-201, the term "knowingly" refers to knowledge of the contents of the item containing the obscenity. The definition of "obscene" is the same as that for CR 11-202. See the note thereunder.

Distribution, etc., to Minor Under 18

CR 11-203(b)(2)
 MISDEMEANOR
 1ST: \$1,000.00 - 1 YEAR
 2ND: \$5,000.00 - 3 YEARS

****OBSCENE MAT SALE TO MINORS****

...did wilfully and knowingly engage in the business of [selling/showing/advertising for sale/distributing/displaying and exhibiting] to persons under the age of 18 years [still pictures/photographs/books/pocket books/pamphlets/magazines/video discs/video tape/recorded phone messages/films/computer discs] the [cover/contents] of which [are principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

CR 11-203(b)(3)
 MISDEMEANOR
 FIRST OFFENSE \$1,000.00 - 1 YEAR
 SUBSEQUENT OFFENSE \$5,000.00 - 3 YEARS

****OBSCENE MAT DISPLAY MINOR****

...did, as an [owner/operator/franchisee/manager/employee with managerial responsibility] of a [newsstand/place of business], openly and knowingly display at the said [newsstand/place of business], which is frequented by persons under the age of 18 years, [still pictures/photographs/books/pocket books/pamphlets/magazines/ video disc/video tape/recorded telephone messages/film/computer disc] the [cover/contents] of which [were principally made up of obscene [descriptions/depictions] of illicit sex/consist of obscene pictures of nude and partially denuded figures].

NOTE: "OBSCENE" MEANS:

1. That the average adult applying contemporary community standards would find that the work, taken as a whole, appeals to prurient interests;
2. That the work depicts the sexual conduct specified in the wording for this section in a way that is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material;
3. That the work, taken as a whole, lacks serious literary, scientific, educational, artistic, or political value.

Child Pornography

CR 11-207(a)(1)
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING
 SUBSEQUENT VIOLATION
 \$50,000.00 - 20 YEARS

****CHILD PORN PERMIT SEX SUBJ****

...did [solicit/cause/induce/knowingly permit] _____(name), a minor to engage as a subject in a [visual representation/performance] that depicts a minor engaged as a subject in [sexual conduct/sadomasochistic abuse], to wit: _____.

CR 11-207(a)(1)
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING
 SUBSEQUENT VIOLATION
 \$50,000.00 - 20 YEARS

****CHILD PORN SOLICIT SUBJECT****

...did [solicit/cause/induce/knowingly permit] _____(name), a minor to engage as a subject in the production of obscene matter, to wit: _____ (name or describe).

CR 11-207(a)(2)(3)
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING
 SUBSEQUENT VIOLATION
 \$50,000.00 - 20 YEARS



****CHILD PORN FILM/COMP SEX ACT****

...did [photograph/film/create a computer image of]
 _____(name), a minor engaging in an [obscene act/sexual
 conduct/sadomasochistic abuse].

CR 11-207(a)(4)
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING
 SUBSEQUENT VIOLATION
 \$50,000.00 - 20 YEARS



****CHILD PORN PROMOTE/DISTRB****

...did knowingly [promote/distribute/possess with intent to
 distribute] _____ (name publication or film or describe
 matter, performance, or other visual representation) that depicts
 a minor engaged as a subject in sexual conduct or
 sadomasochistic abuse.

CR 11-207(a)(5)
 FELONY
 \$25,000.00 - 10 YEARS
 PRELIMINARY HEARING
 SUBSEQUENT VIOLATION
 \$50,000.00 - 20 YEARS



****CHILD PORN COMPUTERS****

...did, by means of a computer, knowingly
 [compile/enter/transmit/make/print/publish/reproduce/
 cause/allow/ buy/sell/receive/exchange/disseminate] a
 [notice/statement/advertisement/minor's name/telephone
 number/place of residence/physical characteristic/other
 descriptive or identifying information] for the purpose of [
 engaging/facilitating/encouraging/offering/soliciting][unlawful
 sexual conduct with /sodomasochistic abuse of] a minor.

NOTE: "Minor" means an individual under 18 years.

NOTE: Sexual conduct means human masturbation, sexual
 intercourse, or any touching of or contact with the genitals,
 pubic areas or buttocks of the human male or female, or the
 breasts of the female, whether alone or between members of the
 same or opposite sex, or between humans and animals.

These provisions shall not extend to persons having bona fide
 scientific, educational, governmental, artistic, news or, other
 similar justification for possessing or distributing such
 materials.

The minor's whereabouts or identity need not be known.

CR 11-208(a)(1)(2)(3)
 MISDEMEANOR
 2,500.00 - 1 YEAR
 SUB OFFENSE: \$5,000.00 - 2
 YEARS



****POSSESS CHILD PORNOGRAPHY****

...did knowingly possess a [film/video tape/photograph/ visual representation to wit: _____ (name or describe)]depicting an individual under 16 years of age [engaged as a subject of sadomasochistic abuse/engaged in sexual conduct/in a state of sexual excitement].

NOTE: "Sadomasochistic abuse" means flagellation or torture by or upon a human who is nude, or clad in undergarments, or in a revealing or bizarre costume, or the condition of one who is nude or so clothed as is being fettered, bound, or otherwise physically restrained.

"Sexual conduct" means human masturbation, or any touching of or contact with the genitals, pubic area or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals.

"Sexual excitement" means the condition of human male or female genitals, or the breasts of the female, when in a state of sexual stimulation, or the sensual experiences of humans engaging in orwitnessing sexual conduct or nudity.

NOTE: Does not prohibit a parent from possessing visual representation of the parent's own child in the nude unless the visual representations depict the child engaged as a subject of sadomasochistic abuse or in sexual conduct AND in a state of sexual excitement.

**Hiring, etc., Minor Under 18 to do or Assist in doing Acts
Described in Sec. 419**

CR 11-209(a)(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR
SUB OFFENSE \$5,000.00 - 3
YEARS



****OBSCENE MAT HIRE MINOR DIS****

...did hire, use, and employ _____(name), a minor under 18 years of age, to assist [him/her] in distributing obscene matter, [with knowledge that/while having in [his/her] possession facts from which [he/she] could reasonably have determined that] said minor was under 18 years of age.

NOTE: The prohibitions and penalties imposed in this sub-title do not extend to persons having bona fide scientific, educational, governmental, or other similar justification for possessing such matter, or to distributions thereof pursuant to such justification.

PANDERING

CR 11-303(a)(1)(2)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PANDERING - TAKE CAUSE****

...did [take/cause to be taken/place/cause to be placed/harbor/persuade/encourage by threat/encourage by promise] another person to wit: _____ (name) to _____(location) for prostitution.

CR 11-303(a)(4)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PANDERING - FORCE****

...did unlawfully [take/detain/receive consideration to procure for _____(name)/place in a house of prostitution at _____(location) /place at _____(location)] another person, to wit: _____(name) with intent to use [force/threat/persuasion] to compel _____(name) /perform a sexual act/have sexual contact/have vaginal intercourse].

CR 11-303(a)(5)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PANDERING - COMPENSATION ****

...did receive consideration to [procure for, _____(name)/place in a house of prostitution at _____(location)]another person, to wit: _____(name)/ consent to the [taking/detention] of _____(name)]for prostitution.

CR 11-303(b)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PANDERING -GUARDIAN****

...did as [parent/guardian/person] who has [permanent/temporary] [care/custody/responsibility for supervision] of another person, to wit: _____(name) , consent to the [taking/detention] of, _____(name) for prostitution.

Note: Definition in CR 11-303

Note: A person who violates this section may be charged, tried and sentenced in any county in or through which the person transported or attempted to transport the other person.

CR 11-304(a)
MISDEMEANOR
\$10,000.00 - 10 YEARS



****PROSTITUTION - BUSINESS****

...did [receive money/acquire money or proceeds] from the earnings of _____ (name) engaged in prostitution with the intent to [promote a crime/profit from a crime/conceal/disguise the nature,/location/source/ownership/control of money or proceeds of a crime] under CR 11-301.

CR 11-305(a)(1)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PROSTITUTION - UNDER 16****

...did [persuade/entice/aid in the persuasion of/aid in the enticement of] _____ (name), a person under the age of 16 from [the person's home/the custody of the person's parents/the custody of the person's guardian].

CR 11-305(a)(2)
MISDEMEANOR
\$5,000.00 - 10 YEARS



****PROSTITUTION - UNDER 16/SECRETE****

...did knowingly [secrete/harbor/aid in the secreting of/aid in the harboring of] _____ (name), a person under the age of 16 from [the person's home/the custody of the person's parents/the custody of the person's guardian].



CR 11-306
MISDEMEANOR
\$500.00 - 1 YEAR

****PROSTITUTION - GENERAL****

...did engage in [prostitution/assignation] by any means; to wit:
did _____

(select from list below)

- keep, set up, occupy, maintain, or operate a building, structure, or conveyance for prostitution or assignation;
- allow a building, structure, or conveyance owned or under the person's control to be used for prostitution or assignation;
- allow or agree to allow a person into a building, structure, or conveyance for prostitution or assignation, or
- procure or solicit or offer to procure or solicit for prostitution or assignation.

Betting, Wagering or Gambling Pools on Horses, Etc.

CR 12-102
MISDEMEANOR
\$1,000.00 - 1 YEAR



****GAMBLING-SPORT EVENT****

...did [bet/wager/gamble/make a pool/sell a pool] on the result
of _____ (specify what bet on).

NOTE: Sporting events, racing, or bets on any other contingency are covered.

NOTE: Keeping a place for gambling under CR 12-102 refers to gambling or betting upon the outcome of a race, contest, or other contingency. Examples include a "betting parlor" or "book making parlor." Contrast this section with CR 12-102, which covers keeping a place for gambling on games of chance.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections; IN Baltimore City a citation may be issued.

CR 12-102(3)(4)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****GAMBL-KEEP/USE/PERMIT PLAC****

...did [establish/keep/rent/use/occupy/knowingly permit the use of] _____, (specify location and type of place) for the purpose of [gambling/receiving the fruits of gambling].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections; in Baltimore City a citation may be issued.

CR 12-103
MISDEMEANOR
\$100.00 - 2 YEARS



****GAMING/CARDS, DICE, ETC.****

...did play _____ (name game) for [money/ _____ (name other valuable)].

NOTE: This section covers card games, dice games, "craps," and fraudulent games such as "thimble," "three-card monte," "the little joker," etc., if played for money or any other valuable consideration.

GAMING**Keeping Gaming Table/Place**

CR 12-104(1)
 MISDEMEANOR
 \$500.00 - 1 YEAR

****GAMING-KEEP TABLE/PLACE****

...did keep a [gaming table/house/vessel/place] to wit:
 _____ (location), for the purpose of gambling.

NOTE: Can be on land or water in the State. A gaming table is a table or other device on which games of chance are played for money; it does not apply, however, to billiard or pool tables used for that purpose.

NOTE: This section covers any place operated for the purpose of gambling on a game of chance. Gambling or betting on a horse race, dog race, contest, or other such contingency is covered by CR 12-102. See the definition of "Gaming Table" in CR 12-101.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Owner/Occupant of Building, Etc. Permitting Keeping of Tables

CR 12-104(2)
 MISDEMEANOR
 \$500.00 - 1 YEAR

****GAMING-BLDG OWNER/OCCUPANT****

...did knowingly permit a gaming table to be kept at
 _____ (location) [owned/leased/occupied] by [him/her].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Renting Place for Gambling

CR 12-104(3)
 MISDEMEANOR
 \$500.00 - 1 YEAR

****GAMBLING-RENTED PLACE****

...did [lease/rent] _____, to be used for the purpose of gambling.

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

Keeping, Etc., Gaming Table/Place

CR 12-104(6)
 MISDEMEANOR
 \$500.00 - 1 YEAR

****GAMING-KEEP TABLE/PLACE****

...did [keep/deal at/manage/have an interest in/have an interest in the profits of] a [gaming table at ____/ place used for gambling].

NOTE: Under case law, bingo in Anne Arundel County is not made illegal by these sections.

OFF-SHORE GAMBLING

Gambling on boat, pier, Wharf, etc

CR 12-105
MISDEMEANOR
\$1,000.00 - 1 YEAR



****OFF-SHORE GAMBLING****

...did [bet upon/wager upon/gamble
at/keep/conduct/maintain/operate/establish/ rent/
use/occupy/knowingly suffer to be established/knowingly suffer
to be kept/knowingly suffer to be used/knowingly suffer to be
rented/knowingly suffer to be occupied] a gaming device upon
a [vessel upon the waters of the State of Maryland, to wit: _____
(name vessel)/structure built upon and over the waters of the
State of Maryland, to wit: _____ (name or describe structure)]
which could not be entered from shore by a person on foot.

NOTE: It is not a defense to this section that a permit or license
had been issued for the gambling activity by any political
subdivision of this State..

Results of Horse Race

CR 12-109
MISDEMEANOR
\$5,000.00 - 3 YEARS



****FIXED HORSE RACE****

...did wilfully, knowingly, and unlawfully [cause/attempt to
cause] the prearrangement and predetermination of the results
of a horse race, to wit: _____ (name race).

CR 12-203
 MISDEMEANOR
 \$1,000.00 - 12 MONTHS



****LOTTERY-SELL****

...did sell a lottery device to _____.

NOTE: Lottery is a species of gaming, the elements of which are consideration, chance and prize.

Lottery device does not have to be a written document. It may constitute a mere exchange of words between the lottery operator and the bettor, by which they agree upon terms under which a chance or share in lottery is being acquired.

UNEMPLOYMENT INSURANCE LAW PENALTIES

Lotteries - Prohibited

CR 12-203
 MISDEMEANOR
 \$1,000.00 - 12 MONTHS



****LOTTERY-SELL****

...did hold a lottery.

Owner Permitting Use of House, etc.

CR 12-204
 MISDEMEANOR
 \$1,000.00 - 1 YEAR
 SUBSEQUENT OFFENSE
 SEC. 12-21
 \$5,000.00 - 5 YEARS

****LOTTERY PROP OWN/PERMT SAL****

...did knowingly permit ____ (property used) located at ____,
 of which he was the [owner/lease holder] to be used as a place
 for selling [lottery devices/policy/certificate] ____ (specify).

NOTE: Facts must indicate ownership or leaseholder interest in
 property, including automobile, and that owner/leaseholder
 knew of the use to which property was being put.

NOTE: State lottery exempted from these prohibitions.

S.G. Sec. 9-102.

Keeping Place for Selling, etc.

CR 12-204
 MISDEMEANOR
 \$100.00 - 1 YEAR
 SUBSEQUENT OFFENSE
 SEC. 12-210
 \$5,000.00 - 5 YEARS

****LOTTERY UNAUTH PL TO SELL****

...did keep a certain place, to wit: ____ located at ____, for the
 purpose of selling [lottery devices/policies/certificate] (specify).

NOTE: Facts must show keeping of a house, office, or other
 place (automobile included) for purpose of selling or bartering
 lottery devices. Ownership is not an element.



CR 12-205
MISDEMEANOR
\$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
\$5,000.00 - 5 YEARS

****LOTTERY POSS NUMBERS LIST****

...did possess a record of numbers drawn in a [lottery/lottery ticket/ship/list/record]; to wit _____ (name item).

Possession - Records or Money



CR 12-205
MISDEMEANOR
\$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
\$5,000.00 - 5 YEARS

****LOTTERY: INTERSTATE TRANSP****

...did bring into the State of Maryland a [lottery ticket/policy/certificate]; to wit _____ (name item).



CR 12-205(b)(2)
MISDEMEANOR
\$1,000.00 - 1 YEAR
SUBSEQUENT OFFENSE
SEC. 12-210
\$5,000.00 - 5 YEARS

****LOTTERY POSS SALES MONEY****

...did possess a record of money received and to be received from the sale of a [lottery device/policy/certificate _____ (specify)].

NOTE: Possession may be actual (on one's person) or constructive (within one's immediate control), and may be sole or joint possession. Ownership and knowledge are not elements of crime.

Publication/Account of Lottery

CR 12-206
 MISDEMEANOR
 \$100.00 - 60 DAYS
 SUBSEQUENT OFFENSE
 SEC. 12-210
 \$5,000.00 - 5 YEARS

****LOTTERY-PUBLISH ACCT****

...did [publish/aid and assist in publishing] an account of a lottery.

NOTE: Publication or aiding and assisting in publication (either written, printed or broadcast) of an account of a lottery means stating when or where it is to be drawn, or the price of a ticket, or where ticket may be obtained.

It should be noted that it makes no difference if the lottery is legal in another state.

Gift Enterprises

CR 12-212
 MISDEMEANOR
 \$50.00 EACH VIOLATION

****LOTTERY-GIFT ENTERPRISE****

...did [sell/offer for sale] merchandise, holding out as an inducement for the sale thereof a scheme whereby a certain gift, to wit: _____ would be awarded by chance to a purchaser of the said merchandise.

NOTE: Does not apply to schemes whereby a gift is given to all purchasers. Only applies to schemes whereby element of chance determines if a gift is given.

SLOT MACHINES**Defined; Prohibited; Limited, etc.**

CR 12-302
 MISDEMEANOR
 \$1,000.00 - 1 YEAR

****SLOT MACHINE POSS/MAINTAIN****

...did unlawfully [locate/possess/keep/maintain/operate] a slot machine within this State.

NOTE: See section 12-302 for definition of slot machines.

NOTE: There are several exceptions within this statute. Possession of an antique slot machine is allowed, but you should not take this into account when determining probable cause, as this must be an affirmative defense offered at trial. Within certain counties, licenses for slot machines may be issued by the proper authority. See the Statute for these exceptions.

Also, effective October 1, 1995, an exception is given to persons in the business of demonstrating for sale, or selling, such machines if they are:

- a. operating under a contract with a manufacturer;
- b. are registered with the U.S. Department of Justice as a distributor of slot machines, and;
- c. have provided the Superintendent of the State Police with a copy of their current registration.

CORRECTIONAL SERVICES ARTICLE

CS 8-801
FELONY
30 YEARS
PRELIMINARY HEARING



****IMPRISON CORRECTIONAL EMPL****

...did falsely imprison _____ (name), a correctional employee, while defendant was an inmate at _____ (name State, County, Municipal, or other jail, detention center, or correctional facility).

NOTE: Correctional Employee means:

1. A person who is employed by a correctional facility.
2. A person who performs volunteer work for a correctional facility.
3. A person who performs duties in a correctional facility by virtue of federal, state, or local government employment; OR
4. A person who performs duties in a correctional facility by virtue of a contract with federal, state, or local government.

CS 8-803
MISDEMEANOR
\$1,000.00 - 3 YEARS



****INDECENT EXPOSE CORRECTION EMPL****

...did, with the intent to annoy, abuse, torment, harass and embarrass a (correctional officer/authorized personnel), to wit: _____ (name/employee) lewdly, lasciviously and indecent expose parts of the body, to wit: _____ while an inmate at _____ (facility).

EDUCATION ARTICLE

Compulsory Attendance

ED 7-301
MISDEMEANOR
\$500.00 - 30 DAYS



****SCHOOL INDUCE/ATT ABSENCE****

...did unlawfully induce and attempt to induce _____(name), a child _____ years old and a resident of the State, to be absent from _____ school while said school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

ED 7-301
MISDEMEANOR
\$500.00 - 30 DAYS



****HARBOR/EMPLY CHILD-SCH HRS****

...did unlawfully harbor or employ _____(name), a child _____ years old and a resident of this State, to be absent from _____ school while school was in session.

NOTE: The child must be at least 5 years old and under 16 to be covered by this section.

ATTENDANCE AND DISCIPLINE OF STUDENTS

ED 7-301
 MISDEMEANOR
 \$50.00 PER DAY OF
 ABSENCE - 10 DAYS
 SUBSEQUENT OFFENSE
 \$100.00 PER DAY OF
 ABSENCE - 30 DAYS

****SCHOOL: FAIL SEND CHILD****

...did, having [legal custody/care and control] of
 _____(name), a child _____ years of age (see note),
 unlawfully fail to ensure that said child attended school and
 received instruction as required by Art. Education, Sec. 7-301,
 of the Annotated Code of Maryland.

NOTE: This section only applies to children 5 years old or older and under the age of 16 years. The section contains exceptions for children whose mental, emotional, or physical condition makes attendance impossible, who are in an authorized home instruction program, or who have received written exemption for a one year period from the local school system.

NOTE: The penalties shown are for each day of unlawful absence.

NOTE: The child must be at least 5 years old and under the age of 16 to be covered by this section.

SCHOOL SECURITY

Disturbing Activities at School Etc. Molesting/Threatening Students

ED 26-101
MISDEMEANOR
\$2,500.00 - 6 MONTHS



****SCHOOL: DISTURB OPERATION****

...did wilfully[disturb/prevent] the orderly conduct of the activities, administration or classes of _____ (school or college, see note).

ED 26-101(b)
MISDEMEANOR
\$2,500.00 - 6 MONTHS



****SCH MOLEST ETC OTHER LOC****

...did [molest/threaten with bodily harm] [a student/an employee/an administrator/other individual] who is lawfully [on a school vehicle/at activity sponsored by a school/on property owned by a county board].

NOTE: Under section 26-101, the school can be elementary, middle, a high school, or any college or university, public or private.



ED 26-102
MISDEMEANOR
\$1,000.00 - 6 MONTHS

****SCHOOL: TRESPASS ON GROUND****

...did unlawfully trespass upon the grounds of ____ (name of school), a public institution of [elementary/secondary/higher education].



ED 26-102
MISDEMEANOR
\$1,000.00 - 6 MONTHS

****SCHL: TRESPASS/DAMAGE PROP****

...did wilfully damage and deface the property of ____ (name school, see note#1) to wit: ____ (describe property, see note #2) by ____ (describe act).

NOTE 1: This section covers any elementary, middle, or high school, or any college or university, public or private.

NOTE 2: Property covered by this section includes any buildings, furnishings, statutes, monuments, memorials, trees, shrubs, grasses, or flowers.

Trespass-Public Educational Institution



ED 26-102
MISDEMEANOR
\$1,000.00 - 6 MONTHS

****SCHL TRESPAS/REFUS LV BLDG****

...did unlawfully refuse and fail to leave the building and grounds of ____ public institution of [elementary/secondary/higher education], after being requested to do so by ____, an authorized employee.

ELECTION LAW ARTICLE

EL 16-802
FELONY
\$10,000.00 - 3 YEARS



****DESTRUCTION-ELECTION EQUIPMENT****

...did willfully and knowingly [tamper with/damage or attempt to damage/prevent or attempt to prevent operation of/possess key for/make key for] voting equipment.

EL 16-803
FELONY
\$10,000.00 - 3 YEARS



****DESTRUCTION-ELECTION EQUIPMENT****

...did [remove/deface/destroy] [equipment/supplies] in a polling place.

EL 16-804
FELONY
\$50,000.00 - 10 YEARS



****TAMPERING ELECTION SYSTEM****

...did [access/tamper with/alter] voting system without authorization of election authority.

ENVIRONMENT ARTICLE

JUNKYARDS, ETC.

Junkyard/Automobile Graveyard Adjoining Body of Water

EN 5-10A-02
MISDEMEANOR
\$500.00 - 90 DAYS



****JUNKYARD ETC FAIL MAINTAIN****

...did, as the [owner/manager] of a _____ (see note), fail to maintain the contents thereof so as to prevent the dumping, depositing, and transporting thereof into the waters of this State, to wit: _____ (name body of water).

NOTE: Applies to any person or organization that owns, maintains, or causes to be maintained a junkyard, automotive dismantle, recycler facility, scrap metal processing facility, or automotive graveyard. As to probable cause, see the presumptions set forth in EN 5-10A-01.

EN 7-265
FELONY
\$100,000.00 - 5 YEARS
PRELIMINARY HEARING



****HAZARDOUS SUBST-FALSE INFO****

...did unlawfully falsify information required by the State Department of the Environment, namely _____ (specify what information was falsified relating it to a specific law, rule regulation, order, haulers certificate, vehicle certificate, or facility permit issued under the subtitle).

Illegal Disposal

EN 7-265
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING

****HAZARDOUS SUBST-DISPOSAL****

...did unlawfully transport for treatment, storage, and disposal a controlled hazardous substance, to wit: _____, to _____, a place that was not a controlled hazardous substance facility and did not have a current facility permit.

EN 7-265
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING

****HAZARDOUS SUBST-DISPOSAL****

...did [authorize/direct/permit]
 [storing.treating/dumping/discharging/abandoning/otherwise disposing of a controlled hazardous substance in any place other than a controlled hazardous substance facility for which a current facility permit is in effect/ falsify information required by the department or any rule, regulation,order, hauler certificate, vehicle certificate or facility permit issued under EN 7-232.]

NOTE: Each day of violation is a separate offense.

EN 7-265
 FELONY
 \$250,000 - 15 YEARS
 PRELIMINARY HEARING



****HAZARDOUS SUBST/ENDANGER OTHER****

...did unlawfully [store/treat/dump/discharge/abandon/dispose of][transport for treatment/ storage/disposal] _____, a controlled hazardous substance, knowing that the violation placed another person, to wit: _____ (name or names) in imminent danger of death or serious bodily harm.

EN 7-265
 FELONY
 \$100,000.00 - 5 YEARS
 PRELIMINARY HEARING



****HAZARDOUS SUBST-DISPOSAL****

...did unlawfully [store/treat/dump/discharge/abandon/dispose of] _____, a controlled hazardous substance in and at _____ (place), a place that was not a controlled hazardous substance facility and that did not have a current facility permit.

FAMILY LAW ARTICLE

MARRYING UNLAWFULLY

Within 3 Degrees of Direct Lineal/ First Degree of Collateral Consanguinity

FL 2-202(b)
MISDEMEANOR
\$1,500.00



****MARRIAGE-UNLAWFUL****

...did marry _____ (select from list), his/her _____
(relationship), being within [three degrees of direct lineal
consanguinity/the first degree of collateral consanguinity].

NOTE: The marriages prohibited under this section are as follows:

1. For a man

3 Degrees of direct lineal consanguinity
grandmother;
mother;
daughter;
sister; or
granddaughter

1st Degree of collateral consanguinity

grandfather's wife;
wife's grandmother;
father's sister;
mother's sister;
stepmother; wife's mother;
wife's daughter;
son's wife;
grandson's wife;
wife's granddaughter;
brother's daughter; or
sister's daughter.

2. For a woman
 - 3 Degrees of direct lineal consanguinity
 - grandfather;
 - father;
 - son;
 - brother; or
 - grandson
 - 1st Degree of collateral consanguinity
 - grandmother's husband;
 - husband's grandfather;
 - father's brother;
 - mother's brother;
 - stepfather;
 - husband's father;
 - husband's son;
 - daughter's husband;
 - husband's grandson;
 - brother's son;
 - sister's son; or
 - granddaughter's husband.

*Prohibition applies to both blood and half-blood relations.

Marrying within Other Prohibited Degrees

FL 2-202[c]
 MISDEMEANOR
 \$500.00



****MARRIAGE-UNLAWFUL****

...did marry ____, his/her ____ (relationship), being within a degree of affinity and kindred prohibited by the laws of this State.

NOTE: The marriages prohibited under this section are as follows:

1. For a man:
 - grandfather's wife;
 - wife's grandmother;
 - father's sister;
 - mother's sister
 - stepmother;
 - wife's mother;
 - wife's daughter;
 - son's wife;
 - grandson's wife;
 - wife's granddaughter;
 - brother's daughter; or
 - sister's daughter.
2. For a woman:
 - grandmother's husband;
 - husband's grandfather;
 - father's brother;
 - mother's brother;
 - stepfather;
 - husband's father;
 - husband's son;
 - daughter's husband;
 - husband's grandson;
 - brother's son;
 - sister's son; or
 - granddaughter's husband.

Marrying W/O License

FL 2-401
MISDEMEANOR
\$100.00



****MARRIAGE W/O LICENSE****

...did marry _____ (name) without a license issued by the Clerk,
_____ City/County, where the marriage was performed.



FL 2-406(c)
MISDEMEANOR
\$500.00

****MARRIAGE-UNAUTH. BY MINISTER****

...did unlawfully and without authority perform a marriage ceremony between _____ (bride) and _____ (groom).

NOTE: See section for list of authorized persons.

Minister, etc. Marrying Persons Within Prohibited Degrees



FL 2-406(d)
MISDEMEANOR
\$500.00

****MARRIAG UNAUTH BY MINISTER****

...did knowingly perform a marriage ceremony between _____ and _____, they being related in the degrees prohibited by law, and he/she being a [religious official/clerk/deputy clerk/judge].



FL 2-406(e)
MISDEMEANOR
\$500.00

****MARRIAGE-PERFORM W/O LICENSE****

...did unlawfully perform a marriage ceremony between _____ (bride) and _____ (groom) without a license.

NOTE: Persons authorized to perform marriages:

1. Any official of religious order or body by rules and customs of that order or body.
2. Any clerk.
3. Any deputy clerk designated by the county administrative judge of the circuit court for that county.
4. A judge.

Solicitation, Individuals Contemplating Marriage

FL 2-408(a)
MISDEMEANOR
\$50.00 EACH OFFENSE



****MARRIAGE-ILL INDUCEMENT****

...did, as an authorized official, [give/offer to give] a reward, to wit: _____, to _____ as an inducement to direct an individual contemplating marriage to said authorized official.

NOTE: Authorized official is defined in Sec. 2-101 of the Family Law as an individual authorized by the laws of this State to perform a marriage ceremony. Sec. 2-406(a) further defines an authorized official as

- (1) any official of a religious order or body authorized by the rules and customs of that order or body to perform a marriage ceremony;
- (2) any clerk; or
- (3) any deputy clerk designated by the county administrative judge of the circuit court for the county.
- (4) A Judge.

Advertising/Solicitation of Marriages

FL 2-408(a)(2)
MISDEMEANOR
FIRST OFFENSE \$100.00
SUB OFFENSE \$500.00 –
1 YEAR



****MARRIAGE-ILL ADVERTISING****

...did [erect/maintain] _____ (describe advertising structure) located at _____, that was intended to help solicit the performance of a marriage ceremony.

FL 4-508.1
 MISDEMEANOR
 FIRST OFFENSE \$1,000.00 -
 90 DAYS
 SUB OFFENSE \$2,500.00 -
 1 YEAR



****VIOLATE OUT OF STATE ORDER****

...did fail to comply with a court order issued by the State of

_____ that ordered the respondent to refrain from [further abuse to
 _____/threat of abuse to _____/ contacting _____/ attempting
 to contact _____/harassing _____/ entering the residence of
 _____/remain away from the place of employment, school,
 temporary residence of _____].

Domestic Violence

FL 4-509
 MISDEMEANOR
 \$1,000.00 - 90 DAYS
 SUB. OFFENSE
 \$2,500.00 - 1 YEAR
 RELEASE RESTRICTION
 (UNDER CERTAIN
 CONDITIONS)



****VIOLATE EXPARTE/PROT ORDER****

...did fail to comply with an Order of Court dated _____,
 issued under the Annotated Code of Maryland, Family Law
 Article, Sec. [4-504/4-505/4-506] that ordered the respondent to
 refrain from [further abuse to _____/ threats of abuse to
 _____/ contacting _____/ attempting to contact
 _____/ harassing _____/entering the residence of
 _____/vacate the residence of _____/remain away from
 the place of employment, school, and temporary residence of
 _____].

NOTE: See definition of Abuse - FL 4-501.

NOTE: A District Court commisisoner may not authorize the pretrial release of a defendant charged with violating the provisions of an ex parte order or protective order that order the defendant to refrain from abusing or threatening to abuse a person eligible for relief. See Criminal Procedures 5-202(e); F: 4-506(d)(1); FL 4-508.1.

NOTE: Such an order may include any or all of the restrictions named, and may be violated in several ways by one action. Example: returning to the residence and abusing, harassing, and threatening may all occur in one incident. Use all applicable choices joined by the word "and". HOWEVER, each separate chronological incident is a separate offense.

NOTE: An officer shall arrest with or without a warrant and take into custody a person whom the officer has probable cause to believe is in violation of an ex parte order or protective order in effect at the time of the violation.

Confinement/dwelling, etc.;

FL 5-801
MISDEMEANOR
\$500.00 - 30 DAYS



****CONFINE UNATTENDED CHILD****

...did, being charged with the care of _____(name), a child under the age of 8 years, allow said child to be [locked/confined] in a [dwelling/building/enclosure/motor vehicle] which was out of [his/her] sight and while [he, she] was absent therefrom.

NOTE: This section is not applicable where the child is left attended by a reliable person at least 13 years old.

Abduction by Relative-Child Under 16 - In State

FL 9-304
 PENALTY FL 9-307
 MISDEMEANOR
 \$250.00 - 30 DAYS

****HIDE CHLD/ABD BY REL IN ST****

...did, as a relative, harbor and hide within this State _____, a child under 16 years of age, knowing that possession of the said child was obtained by another relative in violation of this section.

FL 9-304
 PENALTY SEC. FL 9-307
 MISDEMEANOR
 \$250.00 - 30 DAYS

****ABDUCT CHILD/RELATIV IN ST****

...did, as a relative, knowingly abduct, take, and carry away _____, a child under 16 years of age from _____ [his/her] lawful custodian, to a place within this State.

FL 9-304
 PENALTY SEC. FL 9-307
 MISDEMEANOR
 \$250.00 - 30 DAYS

****ABDUCT ETC CHILD/ACCESSORY****

...was an accessory to(add appropriate wording from above).

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

CHILD CUSTODY AND VISITATION

FL 9-304
 PENALTY SEC. FL 9-307
 MISDEMEANOR
 \$250.00 - 30 DAYS

****DETAIN CHILD/RELATIVE IN ST****

...did, as a relative, knowingly detain within the State _____, a child under 16 years of age, from the lawful custodian for more than 48 hours after the lawful custodian demanded that the child be returned.

Abduction by Relative - Child Under 16 -Outside State

FL 9-305
 PENALTY SEC. FL 9-307
 DETAINED NOT MORE
 THAN 30 DAYS
 FELONY
 \$250.00 - 30 DAYS
 PRELIMINARY HEARING
 DETAINED MORE THAN
 30 DAYS
 FELONY
 \$1,000.00 - 1 YEAR
 PRELIMINARY HEARING

****HIDE CHLD AB BY REL OUT ST****

...did, as a relative, harbor and hide in another state _____, a child under 16 years of age, knowing that possession of the said child was obtained by another relative in violation of this section.

FL 9-305
 PENALTY SEC. FL 9-307
 DETAINED NOT MORE
 THAN 30 DAYS
 FELONY
 \$250.00 - 30 DAYS
 PRELIMINARY HEARING
 DETAINED MORE THAN
 30 DAYS
 FELONY
 \$1,000.00 - 1 YEAR
 PRELIMINARY HEARING



****DETAIN CHLD CUSTODN OUT ST****

...did, as a relative knowingly detain in another state ____, a child under 16 years of age, from the lawful custodian for more than 48 hours after the lawful custodian demanded that the child be returned.

FL 9-305
 PENALTY FL 9-307
 DETAINED NOT MORE
 THAN 30 DAYS
 FELONY
 \$250.00 - 30 DAYS
 PRELIMINARY HEARING
 DETAINED MORE THAN
 30 DAYS
 FELONY
 \$1,000.00 - 1 YEAR
 PRELIMINARY HEARING



****ABDUCT ETC CHILD/ACCESSORY****

...was an accessory to(add appropriate wording from above).

NOTE: You may not require an applicant for a statement of charges in a child abduction by a relative case to submit written proof that the applicant has legal custody of the child. If such is available and offered to you, however, it should be reviewed and a copy attached to the application.

FL 9-305
 PENALTY SEC. FL 9-307
 DETAINED NOT MORE
 THAN 30 DAYS
 FELONY
 \$250.00 - 30 DAYS
 PRELIMINARY HEARING
 DETAINED MORE THAN
 30 DAYS
 FELONY
 \$1,000.00 - 1 YEAR
 PRELIMINARY HEARING



* 2 1 0 0 6 *

****ABDUCT CHILD/CUST OUT ST****

...did, as a relative, knowingly abduct, take, and carry away
 _____, a child under 16 years of age from _____ [his/her]
 lawful custodian, to a place in another state.

Nonsupport - Spouse

FL 10-201
 MISDEMEANOR
 \$100.00 - 3 YEARS



* 1 3 8 9 9 *

****NONSUPPORT SPOUSE****

...did, without just cause, willfully fail to provide for the
 support of _____ [his/her] spouse.

Desertion/Nonsupport - Minor Child

FL 10-203
 MISDEMEANOR
 \$100.00 - 3 YEARS



* 3 3 8 9 9 *

****NONSUPPORT - MINOR CHILD****

...did willfully fail to provide for the support of _____ (name),
 [his/her] minor child, during the period _____ through _____
 inclusive.



FL 10-203
MISDEMEANOR
\$100.00 - 3 YEARS

****DESERTION-MINOR CHILD****

...did desert _____ (name) [his/her] minor child.



FL 10-219
MISDEMEANOR
\$100.00 - 1 YEAR

****DESERTION-MINOR CHILD****

...did desert _____ (name), a minor child under [his/her] care, custody, and control [with the intent that such child become a public charge/without providing for said child's support for at least 3 years by a responsible individual or a licensed child care facility].

NOTE: This section does not require that custodian be the parent.

Non-Support Destitute Adult Child



FL 13-102
MISDEMEANOR
\$1,000.00 - 1 YEAR

****NONSUP DESTITUT ADULT CHLD****

...did neglect and refuse to provide necessary shelter, food, care and clothing for _____ (name), [his/her] destitute adult child, the said _____ (defendant) having the means to do so.

Support Destitute Parent

FL 13-102
 MISDEMEANOR
 \$1,000.00 - 1 YEAR

****NONSUPPORT - DEST. PARENTS****

...did neglect and refuse to provide necessary shelter, food, care and clothing for _____ (name), [his/her] destitute parent, the said _____ (defendant) having the means to do so.

HEALTH – GENERAL ARTICLE**Vital Statistics and Records**

HG 4-226(f)
 PENALTY SEC. HG 4-227
 MISDEMEANOR
 \$1,000.00 - 30 DAYS

****VITAL RECORDS FRAUD - USE****

...did willfully [use/attempt to use] a photocopy of a [birth/death/fetal death/marriage] certificate for a fraudulent and deceptive purpose.

NOTE: Application or statement of charges should indicate the fraudulent or deceptive purpose.

Performing female genital mutilation

HG 20-601(a)
 PENALTY HG 20-601(a)
 FELONY
 \$5,000 - 5 YEARS
 PRELIMINARY HEARING

****FEM GENITAL MUTILATION****

...did unlawfully and knowingly circumcise, excise, and infibulate the whole and any part of the labia majora, labia minora, and clitoris of _____(name), an individual under 18 years of age.

Consenting to female genital mutilation on a child, under 18, under care of person

HG 20-601(b)
 PENALTY HG 20-603
 FELONY
 \$5,000 - 5 YEARS
 PRELIMINARY HEARING

****CONSENT/GENITAL MUTILATION****

...unlawfully, being legally responsible and charged with the care and custody of _____(name), a child under 18 years of age, did knowingly consent to the circumcision, excision, or infibulation of the whole or any part of the labia majora, labia minora or clitoris of the said child.

INJURIES - REPORTS OF**Reports in Certain Counties**

HG 20-701
 MISDEMEANOR
 \$25.00

****INJURIES-FAIL TO REPORT****

...did fail to report an injury to ____ (name), treated by ____ (name), a ____ (state profession, see note below), the said injury being caused by and showing evidence of being caused by [an automobile accident/an accident involving a moving vessel/a ____ (lethal weapon other than a gun)].

NOTE: This section applies to physicians, pharmacists, dentists, hospitals, and nurses.

NOTE: The defendant must be the person treating the injury or, in the case of a hospital, the person in charge if the person performing the treatment notified the person in charge.

This section applies only in Allegheny, Anne Arundel, Charles, Kent, Montgomery, Prince George's, Somerset, Talbot and Wicomico Counties.

By Gunshot

HG 20-703
 MISDEMEANOR
 \$25.00

****GUNSHOT FAIL REPORT INJURY****

...did fail to report an injury caused by gunshot to ____ (victim), treated by ____ (name) a ____ (state profession, see note below), said injury being caused by and showing evidence of being caused by a gunshot.

NOTE: This section applies to physicians, pharmacists, dentists, hospitals, and nurses.

NOTE: The defendant is the person treating the injury, or in the case of a hospital, the person in charge if the person treating the injury reported it to the person in charge.

THIS SECTION APPLIES STATEWIDE.

FOOD PACKAGES AND CONTAINERS

Opening Sealed Food Container

HG 21-259.1
MISDEMEANOR
\$25.00



****FOOD, SEALED, OPENING****

...did, without [intent to purchase/authority], open a sealed, closed, and fastened food container in a [food store/supermarket] and leave said container unsalable.

LABOR AND EMPLOYMENT ARTICLE

Wage Payment and Collection

LE 3-502
PENALTY SEC. 3-508
MISDEMEANOR
\$1,000.00



****WAGES: FAIL TO PAY REGULAR****

...did, as an employer thereof, wilfully fail to pay wages to _____, an employee, at least one in every two weeks and twice in each month as required by the Maryland Annotated Code, Labor and Employment Article, Section 3-502.

LE 3-503
 PENALTY SEC. LE 3-508
 MISDEMEANOR
 \$1,000.00



****WAGES: UNLAWFUL DEDUCTIONS****

...did, as an employer thereof, wilfully make unauthorized deductions from the wages of _____, an employee.

NOTE: Deductions are authorized by:

1. Order by a court of competent jurisdiction;
2. Express authorization in writing by the employee;
3. Specific allowance by the Commissioner of Labor and Industry because the employee has received full consideration for the deduction;
4. In accordance with any law or any rule or regulation by a governmental unit.

LE 3-504
 PENALTY SEC. LE 3-508(c)
 MISDEMEANOR
 \$1,000.00



****WAGES: FAIL TO GIVE NOTICE****

...did, as an employer thereof, wilfully fail to furnish to _____, [employee/complainant]. (select from list below)

1. at the time of hiring, notice of the rate of pay and regular payday.
2. for each pay period, a statement of gross earnings and deductions from gross earnings.
3. at least one pay period in advance, notice of any change in [payday/wage].

NOTE: This section does not prohibit an employer from increasing a wage without advance notice.

LE 3-505
 PENALTY SEC. LE 3-508(c)
 MISDEMEANOR
 \$1,000.00



****WAGES: TERM & FAIL TO PAY****

...did, as an employer thereof, wilfully fail to pay, by the customary day, _____ [employee/complainant] all wages due at time of termination of employment.

LE 3-508
 MISDEMEANOR
 \$500.00



****EMPL/MISLEAD GOVMNT AGENCY****

...did, as an employee of _____, wilfully and knowingly make a false statement to _____, a governmental [unit/official] with a false statement with respect to an investigation under Subtitle 3, Labor and Employment Article, of the Annotated Code of Maryland, with the intent that the said [unit/official] consider and take action in connection with the said statement.

Unlawful Acts

LE 8-1301
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS
 RESTITUTION PLUS
 INTEREST
 DISQUALIFICATION

****UNEMPL: FAIL DISC MAT FACT****

...did knowingly and willfully fail to disclose a material fact to
 [receive/ increase] a [payment/benefit] under the
 Unemployment Insurance Law of _____, for [himself/herself/
 _____ (name of other person)].

NOTE: The benefit may be for the person who committed the
 act or for another person.

LE 8-1301
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS
 RESTITUTION PLUS
 INTEREST
 DISQUALIFICATION

****UNEMPL FALSE STMT FOR BEN****

...did knowingly and willfully make a false
 [statement/representation] to [receive/increase] a
 [payment/benefit] under the Unemployment Insurance Law of
 _____, for [himself/herself/ _____ (name of other person)].



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****UNEMPL FALS STMT PRVNT BEN****

...did knowingly and willfully make a false
[statement/representation] to [prevent/reduce] the payment of a
benefit to _____(name), who was entitled to the benefit.



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****EMPLOYER/FAIL TO CONTRIBUTE****

...did, as employer, willfully fail and refuse to make a
contribution or other payment as required by the
unemployment insurance law, in violation of the Labor and
Employment Article, Sec. 8-1302(2)(i).



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****EMPLOYER/FAIL TO REPORT****

...did, as employer, willfully fail and refuse to submit a report to
wit: _____ as required by the unemployment insurance law, in
violation of the Labor and Employment Article, Sec. 8-
1302(2)(ii).



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****EMPLOYER/RECORDS COPIES****

...did, as employer, willfully fail and refuse to allow records required under the unemployment insurance law to wit: _____ to be copies or inspected in violation of the Labor and Employment Article, Sec. 8-1302(2)(ii).



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****EMPLOYER/RECORDS PRODUCTION****

...did, as employer, willfully fail and refuse to produce records to wit: _____ as required under the unemployment insurance law, in violation of the Labor and Employment Article, Sec. 8-1302(2)(iii)



LE 8-1302
PENALTY SEC. LE 8-1305
MISDEMEANOR
\$1,000.00 - 90 DAYS

****UNEMPL FAIL DISC MAT FACT****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect with _____ (claimant).

LE 8-1302
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS



****UNEMPL FAIL DISC MAT FACT****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [avoid/reduce] any [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1302
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS



****UNEMPL FALS STMT BY EMPLOYR****

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid/reduce] a [contribution/required payment] from an employer subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1302
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS



****UNEMPLY FALS DISC PRVNT BEN****

...did, as an employer, knowingly and willfully fail to disclose a material fact to [prevent/reduce] the payment of a benefit to _____ (name), who was entitled to the benefit.

LE 8-1302
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 90 DAYS



****UNEMPL FALS STMT BY EMPLYR****

...did, as an employer, knowingly and willfully make a false [statement/representation] to [avoid becoming/remaining] subject to the Unemployment Insurance Law with respect to _____ (claimant).

LE 8-1303
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



****UNEMPL ACCEPT WAIVE RIGHTS****

...did, as an employer, accept and require from _____, an employee, a waiver of a right to which said employee was entitled under the Maryland Unemployment Insurance Law.

LE 8-1303
 PENALTY SEC. LE 8-1305
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



****UNEMPL DEDUCT FROM WAGE****

...did, as an employer, [directly/indirectly] accept, make, and require a deduction from the wage of _____ (employee) to pay a contribution from the employing unit.

NATURAL RESOURCES ARTICLE

Operating Vessel/Number, Name Or Home Port Designation Concealed

NR 8-713.1
MISDEMEANOR
\$500.00 - 6 MONTHS



****VESSEL-CONCEAL NAME/NUMBER**

...did operate and use a [boat/vessel] on the navigable waters of the _____ [river/bay] while the boat's [name/number/home port designation], as [assigned by the U.S. Coast Guard/registered with the U.S. Custom Service] was knowingly [concealed/covered/defaced].

NOTE: Includes the operator, his aiders, abettors and counselors. Registration, etc., must be proven.

Damaging/Interfering W/Use Public Wharf or Landing

NR 8-724.1
MISDEMEANOR
NOT LESS THAN \$25.00



****PUB LANDNG: DESTROY/DAMAGE****

...did [destroy/damage] a [public wharf/structure erected on a public wharf].

NOTE: The minimum fine is \$25.00. There is no maximum. The fine would depend on the facts of the case.



NR 8-724.1
MISDEMEANOR
NOT LESS THAN \$25.00

****PUB LANDNG: DESTR USEFULNS****

...did destroy the usefulness to the public of a public landing.



NR 8-724.1
MISDEMEANOR
NOT LESS THAN \$25.00

****PUB LAND: INTRFRE USE OF****

...did interfere with the use of a public landing.

DRUNKEN BOATING

Operating Vessel Under Influence of Alcohol, Drugs, Etc.

NR 8-738(a)(1)
MISDEMEANOR
\$1,000.00 - 1 YEAR
SECOND OFFENSE
\$2,000.00 - 2 YEARS
THIRD OR SUBSEQUENT
OFFENSE
\$3,000.00 - 3 YEARS



****OP. VESSEL/UNDER INFLUENCE****

...unlawfully [did/did attempt to] operate a vessel, to wit:
_____, while under the influence of alcohol.

NR 8-738(a)(2)(3),(4)
 MISDEMEANOR
 \$500.00 - 2 MONTHS
 SUBSEQUENT OFFENSE
 \$1,000.00 - 1 YEAR



****OP. VESSEL/DWI, CDS, ETC.****

...unlawfully [did/did attempt to] operate a vessel, to wit: _____
 while [impaired by alcohol/impaired by a Controlled Dangerous
 Substance of Schedule _____, to wit: _____/impaired by a
 combination of alcohol and drugs, to wit: _____/ impaired by
 a combination of drugs, to wit: _____].

NOTE: Under the "combination" choices in the above charge, it is not necessary that the drugs be illegal. If the drugs are illegal controlled dangerous substances, they should be identified by name and schedule. If they are legal prescription drugs which, taken in combination with other drugs or alcohol rendered the defendant unsafe to operate a vessel, they should be identified by name. It is not a defense to this statute that the drug or drugs were legally prescribed unless the defendant was unaware that the drug or combination would make him or her incapable of safely operating a vessel. If the defendant alleges that he or she was unaware of this, you should not take this into account in establishing probable cause, as this is an affirmative defense which must be established at trial.

Operation in Reckless Manner etc.

NR 8-738.1
 MISDEMEANOR
 \$200.00 - 30 DAYS



****BOATS-OPER/RECKLESS MANNER****

...did operate a boat in a reckless manner and in a manner endangering the persons and the property of others.

Ship-to-Shore Telephone or Other Equipment

NR 8-740.1
 MISDEMEANOR
 \$100.00

****BOAT OPERATE NO COMM DEVIC****

...did operate a boat or vessel upon the waters of this State, carrying in addition to crew and employees a total of 25 or more paying or guest passengers, which boat or vessel was not equipped with a [ship-to-shore telephone/mechanical device for communication with persons on shore].

PUBLIC SAFETY ARTICLE**Personating Police Officer Unauthorized Use Uniform, etc.**

PS 3-502(b)
 MISDEMEANOR
 \$100.00 - 6 MONTHS

****PERSONATE POLICE OFFICER****

...did falsely represent himself as being a ____ (see note) with fraudulent design upon the [person of/property of] _____.

NOTE: Statute includes false representation as a member of the police force of the United States, a special police officer, Sheriff, Deputy Sheriff, Police Officer, or constable, or a member of the police or sheriff's departments of this or any State, or any county or municipal corporation of this or any State, or as a member of any such agency.

Personating Police Officer Unauthorized Use Uniform, etc.

PS 3-502(c)
 MISDEMEANOR
 \$2,000.00 - 2 YEARS

****PERSONATION: UU/UNIFORM****

...did [have/use/wear/display], without the authority of _____
 (police chief), _____
 [uniform/shield/button/badge/identification/shoulder patch], for
 the purpose of deception.

NOTE: Statute includes any official insignia of any police,
 sheriff's or constable's agency of this or any State, county, or
 municipality.

Surveillance

PS 3-503
 MISDEMEANOR
 \$1,000.00 - 2 YEARS

****UNREGISTERED SURVEILLANCE****

...did, within 6 months of having lost [his/her]
 [registration/right to register], unlawfully conduct surveillance
 [at _____ (location) /upon _____ (subject)] unlawfully within the
 ensuing six months.

NOTE: Section applies to agents of or from any other State or
 the District of Columbia. For probable cause to be found, facts
 must show defendant has a record with the local police or
 sheriff's department, or the State Police, of conducting a
 previous unregistered surveillance within the six months
 preceding the date of the offense.

Pistol & Revolver Dealer's License

PS 5-106
 PENALTY SEC. 5-143
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****REG FIREARM: SALE W/O LICENSE****

...did engage in the business of selling, renting, and transferring regulated firearms without lawfully possessing and conspicuously displaying at his place of business a dealer's license issued by _____ (the Secretary of the Maryland State Police or his duly authorized agent).

NOTE: Each day on which a regulated firearm is unlawfully sold or offered for sale shall be considered a separate offense.

Improper Sale by Dealer or Person

PS 5-123
 PENALTY SEC. 5-143
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****FIREARM/SALE/DEALER****

...did, being a regulated firearms dealer,[sell/rent/transfer] a regulated firearm, to wit: ____ (describe), to ____ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to the Secretary of the State Police.



PS 5-124(a)
 PENALTY SEC. 5-143
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****FIREARM/SALE/PERSON****

...did [sell/rent/purchase/transfer] a regulated firearm, to wit: _____ (describe), to _____ (name), before the expiration of seven days from the time an application to purchase and transfer had been executed by the prospective purchaser and transferee, and the original copy forwarded by the prospective seller and transferor to a regulated firearms dealer and a designated law enforcement agency, for forwarding to the Secretary of the State Police.



PS 5-125(b)
 PENALTY SEC. 5-143
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****FIREARM/SALE/APPLICATION****

...did [sell/rent/transfer] a regulated firearm, to wit: _____ (describe), to _____ (name), an applicant whose application has been placed on hold because of an open disposition of criminal proceedings against the applicant and disapproved.

More than One Purchase of Regulated Firearm within 30 Days

PS 5-128(b)
MISDEMEANOR
\$5,000.00 - 3 YEARS



****MULTIPLE PURCH/30 DAYS****

...did purchase more than one regulated firearm in a 30-day period, to wit: _____ (describe both firearms purchased).

PS 5-132(c)(2)
PENALTY SEC. 5-143
MISDEMEANOR
\$10,000.00 - 5 YEARS



****SELL HANDGUN W/O LOCK****

...did [sell/offer for sale/rent/transfer] a handgun manufactured on or before December 31, 2002 not equipped with an external safety lock.

NOTE: Beginning on January 1, 2003, a dealer may not sell, offer for sale, rent, or transfer a handgun manufactured AFTER December 31, 2002 unless it has an integrated mechanical safety device.

Illegal Possession of Regulated Firearm

PS 5-133(b)
MISDEMEANOR
\$10,000.00 - 5 YEARS

****REG FIREARM: ILLEGAL POSS****



...did knowingly possess a regulated firearm [after being/being]:
_____ (select from list below.)

1. convicted of violation classified as a common law crime and received a term of imprisonment of more than 2 years;
2. a fugitive from justice;
3. a habitual drunkard;
4. addicted to any controlled dangerous substance or is a habitual user;
5. a sufferer of a mental disorder as defined in Sec. 10-101(f)(2) of the Health-General Article and having a history of violent behavior against another person or self;
6. confined for more than 30 consecutive days to a facility as defined in Sec. 10-101 of the Health-General Article;
7. is a respondent against whom a current non ex-parte civil protective order has been entered under Sec. 4-506 of the Family Law Article;
8. is less than 30 years of age at the time of possession and has been adjudicated delinquent by a juvenile court for committing a crime that would be a disqualifying crime if committed by an adult.

NOTE: Penalty PS 5-143

NOTE: If the person before you has a physician's certification that the person is capable of possessing a regulated firearm, without undue danger to the person or to others, you are to consult your Duty Judge/State's Attorney/Administrative Commissioner.

Straw purchase to prohibited person or minor; transporting into state for sale.

PS 5-133(c)
FELONY
5 YEARS (SEE NOTE)
PRELIMINARY HEARING



* 2 2 0 3 0 *

****FIREARM-POSS W/FEL CONV****

...did possess a regulated firearm after having been convicted of [a crime of violence / a violation classified as a felony in this State] and was previously convicted of: _____. (choose from below)

1. a crime of violence as defined in PS 5-101(c);
2. A crime of violence as defined in CR 14-101;
3. a violation of 5-602 thru 5-609 or 5-612 thru 5-614 of the Criminal Law Article.

NOTE: No part of the sentence may be suspended and the person may not be eligible for parole. Each violation shall be considered a separate offense.

Possession of Regulated Firearm or Ammunition by Minor

PS 5-133(d)
PENALTY SEC. 5-143
MISDEMEANOR
\$10,000.00 - 5 YEARS



* 1 5 2 8 5 *

****POSS OF FIREARM/AMMO/MINOR****

...did, being under 21 years of age, possess [a regulated firearm/ammunition solely designed for a regulated firearm], to wit _____.

Restrictions on Sale, Transfer and Possession of Regulated Firearms

PS 5-134(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****REG FIREARM-ILLEGL SALE/TRAN****

...did [sell/ rent/transfer] a regulated firearm to wit: _____
(describe) to _____ (name) [knowing/having reasonable cause to believe] that the said person [had been convicted of a crime of violence/had been convicted of a violation classified as a felony in this state or any conspiracy to commit any crimes established by those sections/any violation classified as a misdemeanor in this state that carries a statutory penalty of more than two years/had been convicted of any violation as a common law offense where the person received a term of imprisonment of more than two years/is a fugitive from justice/is a habitual drunkard/is addicted to and is an habitual user of any controlled dangerous substance/was visibly under the influence of alcohol and drugs/was under 21 years of age/was a participant in a "straw purchase" as defined in Section 5-136 of this article/is a participant in a "straw purchase as defined in Section 5-136 of this article/is a respondent against whom a current non ex parte civil protective order has been entered under Section 4-506 of the Family Law Article/is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing a crime of violence/is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing any violation classified as a felony in this state / is less than 30 years of age at the time of the transaction and has been adjudicated delinquent by a juvenile court for committing any violation classified as a misdemeanor in this state that carries a statutory penalty of more than 2 years / subject to subsection (c-2) of this section, for a transaction under this subsection that is made on or after January 2002 has not completed a certified firearms safety training course].

PS 5-134(d)(3)(4)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



****SALE TO MINOR/DW/ETC****

...did sell, rent, and transfer (a firearm/other than a regulated firearm/ammunition for a firearm/a deadly weapon), to wit: _____[describe], to _____(name), under the 21 years of age.

PS 5-134(d)(i)(2)
 MISDEMEANOR
 \$1,000.00 - 1 YEAR



****AMMO/SALE TO MINOR****

...did [sell/rent/transfer] ammunition solely designed for a regulated firearm to a person under 21 years of age.

Straw Purchase

PS 5-136(b)
 PENALTY SEC. 5-141
 MISDEMEANOR
 \$10,000.00 - 5 YEARS



****STRAW PURCHASE****

...did knowingly and willfully participate in a straw purchase of a regulated firearm, to wit: _____ (describe firearm).

Sale, Transfer, etc., of Regulated Firearm

PS 5-138
 PENALTY SEC. 5-143
 MISDEMEANOR
 \$10,000.00 - 5 YEARS

****REG FIREARM: STOLEN/SELL ETC.****

...did [possess/sell/transfer/dispose of] a regulated firearm, to wit: _____ (state type of firearm) [knowing/having reasonable cause to believe] the same to have been stolen.

NOTE: This subtitle, does not include any antique or unserviceable firearms sold or transferred and/or held as curios or museum pieces.

Sale/Transfer of Regulated Firearms

PS 5-139(a)
 MISDEMEANOR
 \$5,000.00 - 3 YEARS

****REG FIREARM: FALSE APP/PURCH****

...did knowingly give false information, and make a material misstatement on an application dated _____ to purchase, rent and transfer a regulated firearm.

Straw purchase to prohibited person or minor; transporting into state for sale.

PS 5-140
 MISDEMEANOR
 \$25,000.00 - 10 YEARS

****TRANS REG FIREARM/SALE/TRAF****

...did transport regulated firearms into this state for the purpose of illegal sale or trafficking of regulated firearms.



PS 5-141
MISDEMEANOR
\$25,000.00 - 10 YEARS

****STRAW PUR TO MINOR/PROHIB****

...did knowingly participate in a straw purchase of a regulated firearm to ____ (name), a [minor/prohibited person].

Obliterating, etc. Identification Mark or Number



PS 5-142(a)
PENALTY PS 5-142
MISDEMEANOR
\$10,000 - 5 YEARS

****FIREARM; ALTER ETC ID NUMBER****

...did [obliterate/remove/change/alter] the manufacturer's identification [mark/number] on a firearm, to wit: _____, (state type of firearm).



PS 5-143
MISDEMEANOR
\$10,000.00-5 YEARS
(EACH VIOLATION IS A
SEPARATE CRIME.)

****REG FIREARM - UNLAWFUL SALE/TRANS****

...did knowingly participate in the illegal [sale/rental/transfer/purchase/possession/receipt] of a regulated firearm.

Short-barreled

PS 5-203(a)
 MISDEMEANOR
 \$5,000.00 - 5 YEARS

****RIFLE/SHOTGUN: UNREGISTERED****

...did possess a short-barrelled [rifle/shotgun].

NOTE: A short-barrelled rifle is one having one or more barrels less than 16 inches in length or any rifle with an overall length of less than 26 inches. A short-barrelled shotgun has one or more barrels less than 18 inches in length or any shotgun with an overall length of less than 26 inches. If either the barrel length, or the overall length, or both are less than the minimums stated, the weapon falls under CR 4-201.

NOTE: Rifle means a weapon designed or redesigned made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger.

Shotgun means a weapon designed or redesigned, made or remade and intended to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

NOTE: Possession allowed if registered with U.S. Government in accordance with U.S. Statutes.

EXCEPTIONS - WHILE ON OFFICIAL BUSINESS: Law enforcement personnel of the U.S., this State or any political subdivision; means of armed forces of U.S. or National Guard while on duty or travelling to or from duty; law enforcement personnel of another state or political subdivision, while temporarily in this State; jailer, prison guard, warden, or guard or keeper of any penal, correctional, or detention institution in this State; sheriff and temporary or full time deputy sheriff.

Rifle/Shotgun - Possess Mental Disorder

PS 5-205(a)
 MISDEMEANOR
 \$1,000.00 - 3 YEARS

****RFL/SHOTGN POSS-MENT. DIS.****

...did possess a [rifle/shotgun]:

1. being then and there suffering from a mental disorder as defined in Sec. 10-101(f)(2) of the Health-General Article and having a history of violent behavior against another person or self;
2. having been confined for more than 30 consecutive days to a facility as defined in Sec. 10-101 of the Health-General Article.

NOTE: If the accused has a physician's certification that he is capable of possessing a rifle or a shotgun without undue danger to the person or to others, you are to contact at once, your Duty Judge/State's Attorney/Supervising Commissioner.

PS 5-406
 MISDEMEANOR
 PENALTY:
 MANUF. FOR DIST/SALE
 \$10, 000.00
 SELLING/OFFER FOR
 SALE
 \$2,500.00

****SAL HNDGUN NO ROSTER MFG 85****

...did [sell/offer for sale] a handgun manufactured after January 1985 that is not on the handgun roster in the State, to wit:
 _____(describe).

PS 5-406
 MISDEMEANOR
 PENALTY:
 MANUF. FOR DIST/SALE
 \$10,000.00
 SELLING/OFFER FOR
 SALE
 \$2,500.00



* 1 0 5 7 5 *

****DIS/SAL HANDGUN OFF ROSTER****

...did manufacture for [distribution/sale] a handgun not included on the handgun roster in this State, to wit: _____ (described).

Interference, Obstruction, False Representation

PS 6-602(b)
 MISDEMEANOR
 3 YEARS



* 2 0 2 4 9 *

****OBSTRUCT FIRE MARSH INVEST****

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy Fire Marshal] to wit: _____ (name), in the course of [conducting an inspection/investigating a fire/explosion].

PS 6-602(c)
 MISDEMEANOR
 3 YEARS



* 4 5 3 9 8 *

****PERSONATN MD FIRE OFFICIAL****

...did falsely represent himself as being a [State Fire Marshal/sworn employee of the office of the State Fire Marshal] with fraudulent design on the [person/property] of _____.



PS 7-402(a)
MISDEMEANOR
3 YEARS

****OBSTRUCT FIREFIGHTERS ETC.****

...did willfully [interfere with/obstruct] the [State Fire Marshal/a Deputy State Fire Marshal/a Special Assistant State Fire Marshal/a Special Deputy State Fire Marshal/fire fighter/rescue squad member/emergency services personnel], to wit: _____ (name), who was [fighting a fire/performing emergency services/proceeding to [a fire/an emergency]].



PS 7-402(b)
MISDEMEANOR
3 YEARS

****PERS: MEMBER EMERG SQUAD****

...did falsely represent himself as a member of a [paid/volunteer] [fire department/rescue squad/emergency service unit] of _____ [state/county/city/municipal corporation] with fraudulent design on the [person/property] of _____.



PS 7-402(c)
MISDEMEANOR
3 YEARS

****PERSONATION-U/U UNIFORM****

...did have, wear, use and display without proper authority, for the purpose of deception, [an authentic/a simulated/an imitation] uniform/shield/button/ornament/identification/shoulder patch] adopted by [the Office of the State Fire Marshal/a [paid/volunteer] [fire department/rescue squad/emergency service unit].

Permits to Discharge or Sell



PS 10-104(a)(1)
MISDEMEANOR
\$250.00 EACH OFFENSE

****FIREWORKS DISCHARGE W/O PERMIT****

...did discharge fireworks without required permit.



PS 10-104(a)(2)
MISDEMEANOR
PENALTY SEC. 10-111
\$250.00 EACH OFFENSE

****FIREWORKS POSS. W/O PERMIT****

...did possess [with intent to discharge/with intent to permit the discharge of/for the purpose of disposal/for the purpose of sale to persons] fireworks, without the required permit.



PS 10-110(b)(1)
MISDEMEANOR
PENALTY SEC. 10-111
\$1,000.00 EACH OFFENSE

****FIREWORKS: SALE W/O PERMIT****

...did sell fireworks to _____ without the required permit.

NOTE: Section does not apply to sale by a manufacturer licensed by the State Fire Marshal to certain distributors, etc.

NOTE: Refer to {s 10-101 for definition of what is and what is not a "firework".

PS 10-112
MISDEMEANOR
\$1,000.00



****SPARKLERS - SALE****

...did sell [sparklers/sparkling devices (name)], to a person under the age of 16 years.

PS 10-113(b)
MISDEMEANOR
\$1,000.00 - 1 YEAR



****SPARKLERS-MANUFACTURE****

...did fail to register as a [distributor/wholesaler] of [sparklers/sparkling devices] who [conducts business in/sells, ships and assigns] in the State of Maryland.

Designations Required Elevators & Stairways

PS 12-701
MISDEMEANOR
\$50.00



****BLDG EXIT-NONDESIGNATION****

...did fail to clearly indicate by sign and otherwise, accessible exits at _____, a building having three or more floors, owned by _____(owner-defendant).

NOTE: This section does not cover single-family dwelling houses.

REAL PROPERTY ARTICLE

Fee/Other Consideration Obtaining Settlement, etc.

RP 14-127
MISDEMEANOR
\$1,000.00 - 6 MONTHS



****REAL EST.-ILL SETTLMNT FEE****

...did [pay to/receive from] _____ (name) _____ (consideration)
for the purpose of [arranging a real estate settlement/soliciting/
obtaining/retaining] real estate settlement business involving
Maryland land.

Note: A "consideration" includes:

1. A fee;
2. Compensation;
3. A gift
4. A thing of value
5. A rebate
6. A loan; or
- 7 An advancement or a commission or deposit money

TRANSPORTATION ARTICLE

Firearms or Explosives Aboard Aircraft

TR 5-1008
FELONY
10 YEARS
PRELIMINARY HEARING



****FIREARM EXPLSIV ON AIRCRFT****

...did have on and about his person a [firearm/explosive], to wit:
_____, while [aboard/boarding/attempting to board] an aircraft
engaged in certified air commerce services, without being
specifically authorized to do so by State or Federal law.

NON-BARCODED CHARGES

THE FOLLOWING CHARGES ARE MUST APPEAR VIOLATIONS. NO CJIS CODES ARE ASSIGNED AS THIS IS A CITATION EVENT.

Possession of Motor Vehicle Master Key

TR 14-103
MISDEMEANOR
\$500.00 - 1 YEAR

...did unlawfully have in his possession a motor vehicle master key adapted for and capable of opening and operating any motor vehicle in the State.

Vehicle With Incorrect Odometer

TR 18-104
MISDEMEANOR
\$500.00 - 6 MONTHS

...did, with intent to defraud, rent to _____ a motor vehicle, to wit: _____, knowing that the odometer did not correctly record actual mileage accumulated.

...did rent to _____, a motor vehicle and did deceive said person as to the distance actually traveled during the rental period.

Persons under Influence of Alcohol or Drugs

TR 18-105
MISDEMEANOR
\$520.00

...did rent a motor vehicle to _____, knowing the said person was under the influence of alcohol and drugs at the time of the transaction.

Unauthorized Use of Rented Motor Vehicle

TR 18-106
MISDEMEANOR
\$500.00 - 2 MONTHS

...did, as a lessee, knowingly permit a person to operate a rented motor vehicle, having agreed not to permit any other person to operate that vehicle and without having the consent of the lessor or his agent.

Alcoholic Beverages - Consumption

TR 21-903
MISDEMEANOR
\$520.00

...did consume an alcoholic beverage while driving a motor vehicle on a highway of this State.

MARYLAND VEHICLE LAW - TITLES 11 THROUGH 27

PENALTIES - TR 27-101

It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle Law, unless the violation is declared a felony by that law, or by any other law of this State. Except as provided below, any person convicted of a misdemeanor for violation of any Maryland Vehicle Law is subject to a fine of not more than \$500.00. Listed below are other penalties prescribed by the law and the sections to which they apply.

If a different penalty for violation of the Maryland Vehicle Law is provided for in the Maryland Vehicle Law, or in any other law of this State, the specific penalty prevails over the penalty provided for in TR. 27-101. (TR. 27-101(k)).

\$1,000.00 – NON-JAILABLE:

TR. 13-704

TR. 24-111(d)

TR. 24-111.1(b)

TR. 24.111.1(d)(2)

TR. 24.111.1(e)(2)

TR. 25.111

FIRST OFFENSE - \$1,000.00

SECOND OFFENSE - \$2,000.00

THIRD OR SUBSEQUENT OFFENSE - \$3,000.00

\$500.00 – 2 MONTHS:**TR. 27-101(c)**

TR. 12-301 (c) - (f)	TR. 16-303(h), (i)
TR. 14-102(a)(b)	TR. 18-106
TR. 14-104	TR. 20-103
TR. 14-107(b) – (i)	TR. 20-104
TR. 14-110(b) – (g)	TR. 20-105
TR. 15-312	TR. 20-108
TR. 15-313(a)(b)(d)	TR. 21-206
TR. 15-314	TR. 21-502(a)(c)
TR. 15-411	TR. 21-902.1
TR. 15-502(c)	TR. 21-902(b)(c)(d)*
TR. 16-113(j)	TR. 27-107(d)(e)(f)(g)
TR. 16-301	

\$500.00 – 90 DAYS**TR. 8-627**

\$500.00 – 6 MONTHS**TR. 27-101(d)**

TR. 18-104

TR. 22-415

TR. 22-405.1

TR. 23-109 (Each Vehicle)

\$500.00 – 1 YEAR**TR. 27-101(f)**

TR. 14-103

TR. 16-101 (Subsequent Offense)

TR. 21-902(b) (Subsequent Offense)

TR. 21-902(c)

NOTE: This includes not only a prior conviction for TR. 21-902(b), but TR. 21-902(a)(c)(d) as well.

FIRST OFFENSE: \$1,000.00 – 6 MONTHS**SUBSEQUENT OFFENSE: \$2,000.00 – 1 YEAR****TR. 27-101(h)(i)**

TR. 15-402

TR. 15-502(a)

FIRST OFFENSE: \$1,000.00 – 1 YEAR**SUBSEQUENT OFFENSE: \$1,000.00 – 2 YEARS****TR. 27-101(h) (1986 Cum. Supp.)**

TR. 16-303(a) – (g)

TR. 17-107

TR. 17-110

***FIRST OFFENSE: \$1,000.00 – 1 YEAR**

SUBSEQUENT OFFENSE: \$1,000.00 – 2 YEARS

TR. 27-101(p)

TR. 27-101(s)

\$10,000.00 – 5 YEARS

TR. 16-808(a), TR. 16-807 or TR. 16-803.1

Commercial Driver's License

.....

TR. 27-101(p)(2)

TR. 21-904(b) or TR. 21-904(e)

Resulting in Bodily Injury to Another Person

\$5,000.00 – 3 YEARS

TR. 27-101(p)(3)

TR. 21-904(b) or TR. 21-904(e)

Resulting in Death of Another Person

\$5,000.00 – 10 YEARS

TR. 21-902(a)**FIRST OFFENSE: \$1,000.00 – 1 YEAR****SECOND OFFENSE: \$2,000.00 – 2 YEARS****THIRD AND SUBSEQUENT OFFENSE: \$3,000.00 – 3 YEARS**

TR. 27-101(q)**TR. 21-902(a)****While Transporting a Minor****FIRST OFFENSE: \$2,000.00 – 2 YEARS****SECOND OFFENSE: \$3,000.00 – 3 YEARS****THIRD AND SUBSEQUENT OFFENSE: \$4,000.00 – 4 YEARS**

Note: For the purpose of determining second or subsequent offender penalties provided under this subsection, a prior conviction of a provision of §21-902 of this Article that subjected a person to the penalties under this subsection shall be considered a prior conviction.

TR. 27-101(q)(2)**TR. 21-902(b), (c), (d)****While Transporting a Minor****FIRST OFFENSE: \$1,000.00 – 6 MONTHS****SECOND AND SUBSEQUENT OFFENSE: \$2,000.00 – 1 YEAR**

TR. 27-101(o)**TR. 20-102****\$3,000.00 – 1 YEAR****Resulting in death of another person: \$5,000 – 5 Years**

Motor Vehicle Fuel Tax**All Violations are Misdemeanors****Section**

10-411

Motor Fuel Inspection Law

Penalty

\$1,000.00 ea. Violation

Section	Penalty
10-324	\$5,000.00 – 1 YEAR
10-320D	\$25.00

***Note: Former Article 56**

TAX GENERAL

Fuel Taxes

All Violations are Misdemeanors

Section	Penalty
9-219	\$500.00
9-220	\$500.00
9-221	\$500.00

Penalty – Section 13-1020